**Section 3708.40 General Provisions**

a) It is not the intention of this Part to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this Part imposes more stringent restrictions than existing easements, convenants, or deed restrictions, the provisions of this Part shall prevail.

b) In their interpretation and application, the provisions of this Part shall be held to be minimum requirements and shall not be deemed a limitation or repeal of any other State Statutes or rules or Department programs. For example, if the Department owns land to which these rules apply, lessees may be required to meet lease restrictions on proposed construction activities in addition to this Part.

c) This Part shall not create liability on the part of the Department or any officer or employee thereof for any flood damages that result from reliance on this Part or any administrative decision lawfully made thereunder.

d) If any part of this Part is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Part shall not be affected thereby.