

# Revised EO 11988 Interagency Guidelines

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# Background

- In furtherance of his Climate Action Plan, the President issued EO 13690 [Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input](#) on 30 January 2015
- EO 13690 calls for agencies to use, where possible, natural and nature-based approaches to reducing flood risk, and requires agencies to use on of the more resilient approaches in the Federal Flood Risk Management Standard for ***federally funded projects***
  - ▶ White House Guidance -- Federally funded projects defined as actions where federal funds are used for new construction, substantial improvement, or to address substantial damage to structures and facilities



# Interagency Guidelines

- Water Resources Council's 1978 Implementing Guidelines provided agencies additional guidance for implementing 1977 EO 11988
  - ▶ Guidelines included the 8-step decision making process
- Interagency partners collaborated to revise these Guidelines to include provisions of EO 13690
- Public comment/stakeholder sessions were held on the January 2015 Draft Interagency Guidelines
- Revised Guidelines went through agency review and comment
- Water Resources Council voted to issue final Guidelines on 8 October 2015



# Changes in the Guidelines

- EO 13690 requires agencies to use the FFRMS approaches for federally funded projects
  - ▶ Agencies may opt to use the FFRMS approaches for other actions
- Federal actions (not federally funded projects) can use the approaches in the FFRMS, but must at least continue to use the one-percent-annual chance floodplain (100-year/base flood) for the floodplain of concern (0.2 percent annual chance floodplain for critical actions)



# Additional Changes in the Guidelines

- Clarification that the Guidelines are advisory
- Clarification that the FFRMS is not a design standard for actions such as flood risk management projects
- USACE and FEMA collaborated to develop a new section of the Guidelines that recommends how federal agencies can consistently apply the additional requirements of EO 13690 when applicable in areas served by levees or other flood risk management projects
- A new appendix was added to provide further guidance on using the Climate-informed Science Approach



# Implementation Impacts to USACE

- EO 11988 still applies to FRM projects and requires following the 8-step decision-making process
- EO 11988 as amended will not change the way we implement
  - ▶ Public Law 84-99 or emergency actions
  - ▶ Section 404/10 regulatory permitting actions
- EO 11988 as amended may impact Section 408 permissions on a case by case basis
- New planning projects continue to be subject to the EO 11988 decision making process and will consider the expanded floodplain (start date TBD)
- New Chief's reports started after revised internal implementation procedures are issued will incorporate new guidance



# USACE Implementation Procedures

- ER 1165-2-26 provides overarching guidance to the agency
- Programs/activities have specific guidance providing more detailed information about EO 11988 compliance
  - ▶ Additional guidance updates will be needed for some programs



# Solicitation of Public Comment and Feedback

- Will seek public comment and feedback on the overall approach for updating USACE guidance
- Will seek feedback on more specific changes to be made to the guidance documents
- Anticipated means of communicating with interested partners/stakeholders
  - ▶ Periodic fact sheets
  - ▶ Electronic tool for collecting specific input on potential changes



# Questions?

