



USACE Levee Safety Program Guidance Public Comment Period

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Background

The U.S. Army Corps of Engineers (USACE) has developed agency guidance, Engineer Circular 1165-2-218, U.S. Army Corps of Engineers Levee Safety Program, to consolidate and formalize policies and procedures for the USACE Levee Safety Program. The guidance reflects the intent of the USACE Levee Safety Program: to understand, monitor, and manage flood risk associated with levees over time; provide a framework to sustain long-term benefits; and adapt activities and actions based on the dynamic nature of flood risk. USACE is seeking feedback on this Engineer Circular in advance of its expected publication in September 2020.

Overview of Engineer Circular 1165-2-218

Engineer Circular 1165-2-218, U.S. Army Corps of Engineers Levee Safety Program, provides the context and policies for the implementation of Levee Safety Program activities. Although Engineer Circulars are typically used to establish internal agency policy, this document has been drafted to include four volumes applicable to both USACE and levee sponsors. Most levees in the USACE Levee Safety Program are operated and maintained by non-federal levee sponsors, making them key partners in implementing the program. This guidance lays a path forward for USACE and levee sponsors to partner in managing levee-related flood risks.

Engineer Circulars are temporary in nature and expire two years after the date of publication. After two years, Engineer Circular 1165-2-218 will either be revised, rescinded, or converted to an Engineer Regulation, which does not expire. The two years will provide USACE time to learn through implementation experience, identify clarifications or additional resources required, and to work with our partners in implementing the program.

Public Comment Period

A Federal Register notice was published February 25, 2020, starting a public comment period for Engineer Circular 1165-2-218. Due to impacts related to coronavirus diseases 2019 (COVID-19), USACE has extended the public comment period through July 27, 2020.

The purpose of this public comment period is to solicit feedback on the:

- Clarity of the Engineer Circular;
- Clarity of roles and responsibilities related to the USACE Levee Safety Program; and
- Clarity of the USACE Levee Safety Program objectives, requirements, and available support to levee sponsors and communities.

The Federal Register notice includes:

- The intent and structure of the draft guidance;
- The process to submit comments through the *regulations.gov* website under Docket ID COE-2020-0003;

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- Information on where to access and download the draft guidance document and supplemental references for review; and
- Topics to shape the focus of the public comment review.

USACE will review and consider all comments received. Comments that are not integrated into the document prior to publication will be considered during the two-year implementation period of the Engineer Circular.

Information Sessions

Feedback from the public and our partners is key to the success of the USACE Levee Safety Program. USACE plans to host several virtual and in-person information sessions during the open comment period to offer an opportunity to exchange information related to the draft Engineer Circular, and to build trusting and transparent relationships.

USACE hosted two identical virtual information sessions on March 4, during which participants heard an overview of the guidance, a summary of major policies, and a description of the open comment period. The slides presented during these two sessions can be found on the USACE Levee Safety Program website, <https://www.usace.army.mil/Missions/Civil-Works/Levee-Safety-Program/>.

The five in-person sessions which were scheduled in March and April have been postponed due to ongoing concerns related to COVID–19. USACE plans to reschedule the in-person sessions once it is safe to do so. The sessions are intended to provide background information on the guidance and Levee Safety Program and provide opportunities to clarify and hear initial input on the direction of the USACE Levee Safety Program.

Next Steps and More Information

The Federal Register notice, the Engineer Circular and supporting references, questions to shape the focus of the review, and a link to provide comments, are available online at <https://www.regulations.gov>, under Docket ID COE-2020-0003.

The latest information about the Engineer Circular, the public comment period, and the information sessions can be found on the USACE Levee Safety Program Website: <https://www.usace.army.mil/Missions/Civil-Works/Levee-Safety-Program/>.

All questions about Engineer Circular 1165-2-218 should be emailed to EC218@usace.army.mil.