Emergency Response Policy Revision Update

(ER & EP 500-1-1)

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USACE Flood Risk Management
& Silver Jackets Workshop
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Purpose of Today’s Presentation

- Summarize recommended changes in policy and operational procedure that will better align our business practices
- Summarize observations from internal review
- Describe the path forward
Purpose of Policy Revision

- Current version is over 10 years old
- Align with changes to national preparedness and response frameworks
- Transition from flood control to flood risk management and shared responsibility
- Incorporate lessons learned from major flood events since Katrina
- Align with other CoP programs internally and with federal, state and local partners
- Incorporate a “life cycle” risk management approach for natural CW disaster preparedness, response and recovery, and other contingency operations
- Consistent application of our policies and procedures
## Overview of Updates/Changes

<table>
<thead>
<tr>
<th>Chapter</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – Introduction</td>
<td></td>
</tr>
<tr>
<td>2 – Implementation</td>
<td></td>
</tr>
<tr>
<td>3 – Preparedness</td>
<td></td>
</tr>
<tr>
<td>4 – Response</td>
<td></td>
</tr>
<tr>
<td>5 – Rehabilitation <em>(formerly RIP)</em></td>
<td></td>
</tr>
<tr>
<td>6 – Emergency Water</td>
<td></td>
</tr>
<tr>
<td>7 – Advance Measures</td>
<td></td>
</tr>
<tr>
<td>8 – Flood Risk Management <em>(formerly Hazard Mitigation)</em></td>
<td></td>
</tr>
<tr>
<td>9 – Army Assistance</td>
<td></td>
</tr>
<tr>
<td>10 – National Contingency Plan</td>
<td></td>
</tr>
<tr>
<td>11 - Contracting</td>
<td></td>
</tr>
<tr>
<td>12 – Regulatory Permitting and NEPA <em>(New)</em></td>
<td></td>
</tr>
<tr>
<td>13 – Other Authorities &amp; Mission Areas <em>(New)</em></td>
<td></td>
</tr>
</tbody>
</table>
Rehabilitation Program

System-Wide Improvement Framework (SWIF)

Incorporation of policy guidance for System-Wide Improvements requested by non-federal sponsors

- Policy guidance published 29 Nov 2011
- Provides process for non-federal sponsors to maintain eligibility for rehabilitation assistance while implementing system wide improvements
- SWIF requests for non-federal sponsors are being received and processed
Scenarios and Timelines for Attaining Compliance with USACE Standards

Scenario A
Levee Receives an Unacceptable Inspection Rating

- Timeline based on sponsor
  - SWIF letter or intent submittal and approval process
  - SWIF plan development
  - SWIF plan accepted
  - SWIF implementation
  - Includes Planning environmental compliance

- Timeline based on sponsor action
  - Sponsor fixes deficiencies
  - Sponsor requests inspection

- Timeline based on M or A rating
  - Sponsor maintains M or A rating

Scenario B
Levee is active and complies with current Vegetation Variance or other vegetation deviation**

- 1 year total
  - Time starts at issuance of the final PGL*
  - Determine path forward (PGL* (OIl)

- Up to 1 year
  - Sponsor submits variance request

- 1 year (PGL*)
  - Variance review/approval process

Compliance with USACE standards or approved variance

P.L. 84-99 Inactive  P.L. 84-99 Active

*PGL – reference paragraph 1.d. Timelines and policy for vegetation variances will be subject to the release of the final PGL.
**For vegetation variance or vegetation deviation that has not gone through the revised PGL referenced in 1.d.

Note: Levees never in P.L. 84-99 not eligible for SWF.
Summary of SWIF Requests

Requests received:
10 LOIs submitted with 4 approved and 6 under review
2 draft LOIs submitted and under review
1 SWIF submitted and under review

Breakdown by MSC:
LRD – 4 LOIs and 2 draft LOIs
NWD – 2 LOIs
POD – 1 LOI
SPD – 2 LOIs
SWD – 1 SWIF, 1 LOI

Templates under development: We are circulating for review draft letter templates for a levee sponsor to submit a SWIF Letter of Intent and the attachment that would go with the request.

Draft flow chart for processing a SWIF or LOI within the district, MSC, and HQ – under development
Rehabilitation Program

Project/System Inspections

- Inspection policy, process and criteria addressed in the Levee Safety Engineer Circular currently under development
- ER 500-1-1 revisions will focus how inspection results are used to determine eligibility for rehabilitation assistance

Incorporation of “Resiliency” during rehabilitation

- Improve a project’s ability to experience and survive flood loads (overtopping) and reduce damage effects of erosion and scour
- Implementation extends to the entire project at a 65/35 cost share with non-federal sponsor
- Examples include: Hardening, Seepage Control, Slope Stability, and Erosion Reduction Measures
Rehabilitation Program

Flood Control Dams

- Aligns eligibility criteria with the National Dam Safety Act
- Eligible dams must meet basic definition of a “Dam” under the National Dam Safety Program Act
- Classified as a “High Hazard Dam” or a “Significant Hazard Dam”
- Flood control as a primary purpose
- Active in and inspected under a State Dam Safety Program

Eligible Dams Include:
- Federally authorized dams constructed by USACE, and turned over to non-Federal sponsors to O&M
- Non-Federal dams constructed, and maintained by state or local public agencies
Rehabilitation Program

Hurricane Shoreline Protection Projects

- Revision of extraordinary storm definition “Length or severity”
  - Changing from Saffir-Simpson to a project design “exceedance frequency”

- Revisions to “Significant Amount of Damages” regarding cost of construction and percent of renourishment fill lost
  - Percent cost of original construction increased from 2% to 10%
  - Percent amount of historical or planned renourishment lost due to storm increased from 33% to 50%

- “Adequate functioning” redefined as the “beachfill authorized design cross-section profile” which establishes the repair limit under P.L. 84-99 emergency work
Advance Measures

- Deletion of non-federal option to retain temporary structures
- Adjust cost share policy for permanent construction to 65% federal 35% non-federal
- Incorporation of structural IRRM based on Levee Safety risk assessment
  - Constructed as permanent construction
  - Cost shared 65/35
  - Governor requested
- Incorporate Technical Assistance for IRRM plan development
Flood Risk Management & Hazard Mitigation

- Provides policy and procedures for Intergovernmental State & regional teams
  - Funding for Corps participation on regional or state teams
  - Provisions of technical assistance to State and local agencies for pre-flood preparedness, response and recovery activities
    - Leveraged through intergovernmental SJ teams
    - Support State and local flood hazard mitigation planning, preparation, and response actions
Flood Risk Management & Hazard Mitigation, cont.

- Establishment of regional/watershed ILTF and Recovery Task Forces

- Pre-flood event investigation for NSAP projects
  - Consider NSAP projects in advance of flood damages
  - Requested by sponsor
  - Investigation intended to identify NSAP alternative, willing agency participant, NSAP sponsor
New Chapters

- Chapter 12: Regulatory Permitting and NEPA
  - Consolidated environmental permitting issues into a single chapter

- Chapter 13: Other Authorities & Mission Areas
  - Broadened to incorporate all potential authorities and mission areas (those outside of P.L. 84-99 that we need to be aware of)
Summary of Internal Review

- Internal review and comment period conducted May – July 2012.
- Received more than 1,300 comments on the ER and 600 comments on the EP.
Summary of Internal Review, cont.

- Key comment observations:
  - General concerns were related to timelines, funding, roles and responsibilities, and clarity for implementation
  - 45% of all comments received were on Chapter 5: Rehabilitation (formerly RIP)
  - Comments identified inconsistencies between ER & EP and provided additional recommendations that are under consideration by the review team.
Developed 500-1-1 Draft Revision

PDT Meeting for 500-1-1 Update

Finalized first draft revision of ER/EP 500-

USACE internal webinar on review and comment process

USACE internal review & comment

Consolidate and review comments

Revise Final Draft

Internal/external coordination of policy issues

Leadership Briefing

Complete ER/EP 500-1-1

Develop draft CFR 33-203

Public Review CFR 33-203
Yeah, ask us a question!