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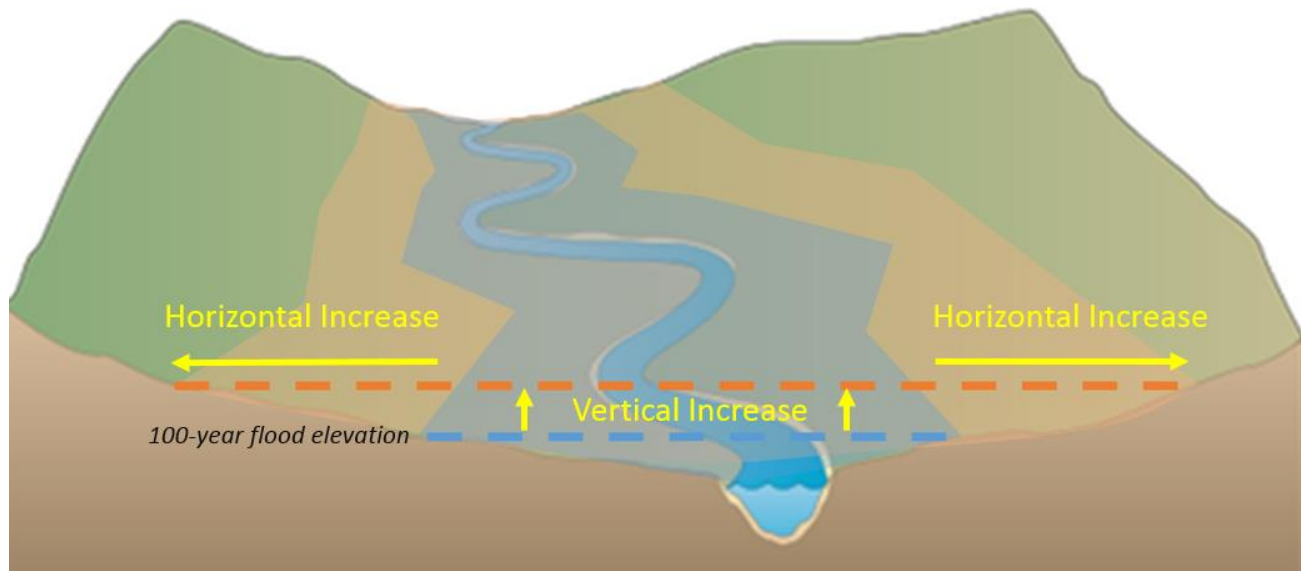
Feb. 9, 2015

EO 13690 – A New Federal Flood Risk Management Standard

- On Jan. 30, President Obama signed Executive Order (EO) 13690 to update [Executive Order 11988 of May 24, 1977](#) on Floodplain Management.
- EO 11988 required federal agencies to avoid, to the extent possible, adverse impacts associated with occupancy and modification of floodplains and to avoid support of floodplain development wherever an alternative exists.
- The new EO is part of the national policy to improve climate resiliency as directed by the [President’s Climate Action Plan](#). It creates a new Federal Flood Risk Management Standard (FFRMS) for all federally approved or funded projects.
- EO 13690 requires all federal agencies to update their flood-risk reduction strategies and expand the flood elevation and hazard areas they use when deciding where and how new development, redevelopment, and construction occurs.
- Since 1977, the term “floodplain” has meant that area subject to a 1%-or-greater chance of flooding in any given year – the 100-year storm event.
- Now, federal agencies will have three options for establishing the new FFRMS elevation and flood hazard area:
 - Climate-informed Science Approach – Using the best-available data and methods that integrate current and future changes in flooding.
 - Freeboard Value Approach – Adding an additional 2 or 3 feet of freeboard to the base flood elevation of the 100-year flood (see example below).
 - 500-year Elevation Approach – The area subject to flooding by the 0.2%-annual-chance flood.
- The EO requires each federal agency to incorporate the new floodplain definition and flood-risk reduction strategies into their existing programs and regulations. The Administration has stated that the EO is targeted to federally financed projects, but the scope could be much broader: A strict reading implies it could include projects financed and approved by the federal government well beyond the 100-year floodplain, including:
 - FHA and HUD housing programs.
 - National Flood Insurance Program (e.g., community enrollment, mandate to purchase insurance, lender requirements, building codes and standards).
 - Clean Water Act permitting (under the proposed “Waters of the U.S.” rule, all waters in floodplains are federally jurisdictional).
 - Endangered Species Act Section 7 Consultation (the floodplain is identified as critical habitat for many listed species).

EXAMPLE

The increased flood elevation that could result using the “Freeboard Value Approach” is represented by the vertical increase in the figure below. As the vertical extent increases, so too does the horizontal extent of the floodplain.



- In this example, those areas in the gray region are within the 100-year floodplain and are currently subject to the various floodplain requirements. Those areas in the tan region are outside the floodplain and no floodplain restrictions are imposed.
- The new EO defines both the gray and tan areas as being within the floodplain and subjects projects within them to comply with floodplain requirements.
- This new requirement will obviously have significant impacts on how and where NAHB members develop, build and remodel new and existing homes and communities.
- Importantly, additional input from stakeholders will be solicited and considered prior to implementation of the FFRMS. Comments are due by April 6. Find more details at <http://www.gpo.gov/fdsys/pkg/FR-2015-02-05/pdf/2015-02284.pdf> and <https://www.fema.gov/federal-flood-risk-management-standard-ffrms>.
- For more information, please contact [Owen McDonough](#), Program Manager, Environmental Policy at 202-266-8662 or [Billie Kaumaya](#), Federal Legislative Director, at 202-266-8570.