

FLOODPLAIN MANAGEMENT SERVICES (FPMS), PLANNING ASSISTANCE TO STATES (PAS), AND CONTINUING AUTHORITIES PROGRAM (CAP)



Aaron Chastain

FPMS, PAS, and CAP Program Manager

USACE-SWG



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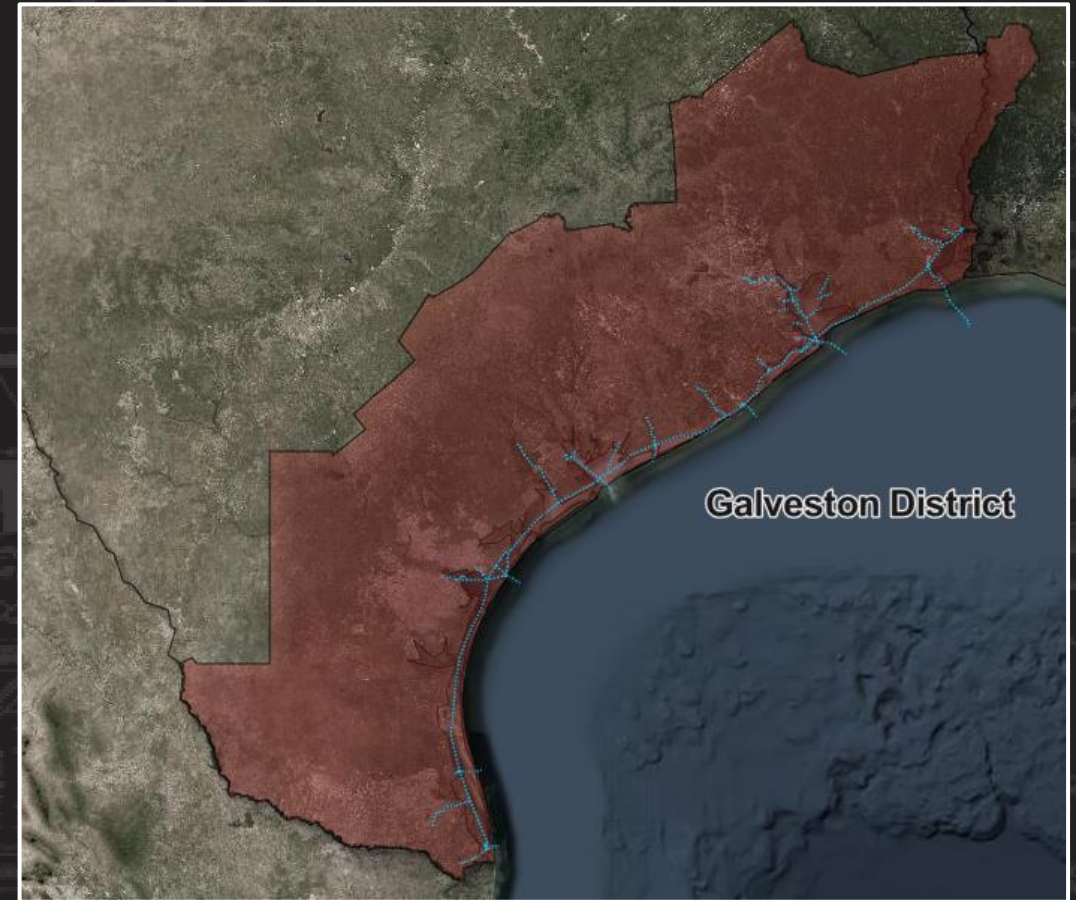
US Army Corps
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Galveston District



GALVESTON DISTRICT STAKEHOLDER PARTNERING FORUM

**Floodplain Management Services (FPMS),
Planning Assistance to States (PAS), and
Continuing Authorities Program (CAP)**

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WHAT DO THESE PROGRAMS ALL HAVE IN COMMON??



- Relatively easy application process
- Lead to Federal investment in studying a problem that is important to YOU!
- Do **NOT** have to go to Congress to get authorized and funded...



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FLOODPLAIN MANAGEMENT SERVICES (FPMS)



Authority:

Section 206 of the Flood Control Act of 1960

Authorized USACE to:

- **Compile and disseminate information on floods and flood damages**, including identification of areas subject to inundation by floods of various magnitudes and frequencies, identification of areas subject to floods due to accumulated snags and other debris, and general criteria for guidance of Federal and non-Federal interests and agencies in the use of flood plain areas; and to
- **Provide advice to other Federal agencies and local interests for their use in planning to mitigate flood hazards**, to avoid repetitive flooding impacts, to anticipate, prepare, and adapt to changing climatic conditions and extreme weather events, and to withstand, respond to, and recover rapidly from disruption due to the flood hazards.



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WHAT FPMS OFFERS

General Technical Services

- Obtain, develop, and interpret flood and floodplain data
- Outreach to public entities upon request

General Planning Guidance

- Undertake “special studies” on all aspects of floodplain management planning
- Includes physical, socioeconomic, and environmental conditions of floodplain

Guides, Pamphlets, Supporting Studies

- Disseminate flood and floodplain data to foster public understanding of hazards and options

National Flood Insurance Program Support (on reimbursable basis)



Flood risk management (FRM) is one of the U.S. Army Corps of Engineers’ (USACE) primary mission areas, and encompasses the development and communication of approaches, technologies, and solutions which reduce the risk of riverine flooding and coastal storm impacts. The Floodplain Management Services (FPMS) program serves as a tool to help achieve the USACE FRM mission by addressing the needs of people who live and work in floodplains, and the actions they can take to reduce property damage and prevent the loss of life caused by flooding.

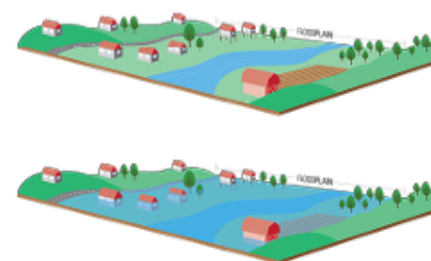
OVERVIEW

Through the FPMS program, USACE provides information on flood hazards to local interests, state agencies, tribal nations, and other federal agencies to guide development of the floodplains and flood-prone areas of the United States.

The program’s objective is to foster public understanding of the options for dealing with flood hazards and promote prudent use and management of the nation’s floodplains and flood-prone areas. The FPMS program provides a full range of technical services and planning guidance that is needed to support effective floodplain and flood risk management.

WHAT IS A FLOODPLAIN?

Per Executive Order 11988, a floodplain is “the lowland and relatively flat area adjoining inland and coastal waters, including flood-prone areas of offshore islands.” It also includes, at a minimum, that area subject to a 1-percent chance of flooding in any given year (Executive Order 11988).



WHAT IS FLOODPLAIN MANAGEMENT?

Floodplain management is a community-based effort to prevent or reduce the risk of flooding, resulting in a more resilient community. (FEMA.gov)

FPMS SERVICES AVAILABLE

Under the FPMS program, USACE is authorized to compile and disseminate information on floods and flood damages, including identifying areas subject to inundation by floods of various magnitudes and frequencies, providing general criteria for guidance for use of floodplain areas to federal and non-federal interests and agencies, and advising other federal agencies and local interests on using the criteria when planning flood hazard mitigation.

EXAMPLE FPMS ACTIVITIES & PRODUCTS

■ Developing studies or guidance	■ Preliminary assessment of nonstructural measures and/or natural and nature-based solutions
■ Floodplain & flood inundation mapping	■ Inventory of flood-prone structure
■ Flood hazard evaluation	■ Workshops
■ Hurricane evacuation preparation/planning	■ Tabletop exercises
■ Flood warning/preparedness	■ Emergency Action Planning
■ Flood risk reduction education & outreach	■ Floodplain Management Plan Assistance
■ Urbanization impacts assessment/planning	■ Assessment tools & processes
■ Stormwater management assessment/planning	

USACE FLOOD RISK MANAGEMENT

WWW.USACE.ARMY.MIL

Program factsheet available at: <https://www.usace.army.mil/Missions/Civil-Works/Technical-Assistance/FPMS/>



WHO CAN PARTNER ON AN FPMS PROJECT?

■ At full federal cost

- State governments;
- Regional governments;
- Local governments;
- Non-federal public agencies;
- Federally-recognized Indian Tribes;
- Specified territories;
 - Puerto Rico, Virgin Islands, Guam, American Samoa, Northern Mariana Islands

■ On a 100% cost-reimbursable basis*

- Other federal agencies
- Nongovernmental entities, including non-profits (501c)
- “Private persons”

* Additional details on cost-reimbursable requirements on a following slide





COST REIMBURSABLE WORK REQUIREMENTS



- Can accept voluntarily contributed funds from nonfederal government agencies (or in-kind services) to expand the scope of services requested beyond the scope allowed by the available FPMS budget.
- There **MUST** be a federal FPMS fund request before voluntarily contributed funds can be accepted.
- Expanded services to be provided **MUST** fall within the scope of the FPMS program/authority.
- Approval authority to accept contributed funds has been delegated to the Division Commander and can be delegated in writing to the District Commander.
- A “Letter of Agreement” must be executed between the District and the nonfederal government agency prior to accepting contributed funds.



FPMS STUDIES...

- Must deal with flooding, floodplain management and provide technical support.
- Typically, 12-18 months in duration and less than \$150k (RULE OF THUMB)- can be more with additional justification.
- Does not have to be nonstructural or interagency – could result in a structural solution implemented by the local entity.
- Must have a non-federal governmental entity requesting the assistance (otherwise must be reimbursable).



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FPMS BASE PROGRAM PROCESS



- Requestor must submit a written request for assistance to the District
- District develops a rough order of magnitude cost and scope
- District Program Manager will communicate with USACE SWD/HQ to obtain project funding
- Division completes review and prioritization of all Special Studies in their AOR
- HQ provides funding based on prioritization within funds available
 - Typically funded at beginning of FY (October)
 - Out of cycle requests may be considered as funds available

Due to the Continuing Resolution, new start FPMS/PAS projects are not being funding. Still good to get applications in the hopper to be ready for future funding opportunities



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INTERAGENCY SPECIAL STUDIES

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Interagency Special Studies are a set-aside under FPMS

Same base program rules apply, PLUS:

– Interagency

- **At least 2 governmental partners beyond USACE**
- Other partners as helpful; not limited to governmental

– Nonstructural or Nature-Based

- **Seek to reduce flood risk through nonstructural or nature-based means**
- Reduce flood consequences (as opposed to altering nature or extent of flood hazard)


Goals:

– Collaborative work with partners

– Integrated solutions

– Outcomes: include or enable flood risk management action

**Unlike other parts of FPMS, annual proposal process to allocate funds to Districts, typically for USACE labor*



US Army Corps of Engineers

INTERAGENCY NONSTRUCTURAL EFFORTS: How the Corps Can Assist with Activities that Reduce Flood Risk

U.S. ARMY CORPS OF ENGINEERS

One of the missions of the U.S. Army Corps of Engineers is to provide responsive water resources management, including reducing the consequences of flooding to life and property. Under the Floodplain Management Services (FPMS) Program, the Corps provides a wide range of technical services and planning guidance to support effective management of the floodplains associated with the rivers of the United States. Interagency nonstructural efforts that focus on flood risk reduction activities are services that can be provided through FPMS and support non-federal governments while promoting a collaborative approach.

Interagency nonstructural efforts are not grants. Instead, they combine complementary services from the Corps and others to achieve more comprehensive and effective solutions. Interagency nonstructural efforts are defined by how the work will be undertaken as well as by what activities will be considered.

Interagency: The work is planned and undertaken collaboratively by the Corps and at least two other governmental partners who also supply services or resources toward the effort. Additional partnerships are encouraged, including with non-governmental and private partners. Working collaboratively to meet a common goal accommodates the incorporation of a wider set of skills and programs, achieving more together than could be achieved separately.

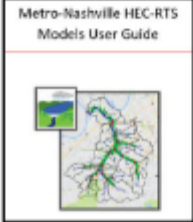
Nonstructural: The efforts reduce the consequences of flooding to life and property instead of altering the nature of the flood hazard itself. Some common nonstructural measures include acquiring, elevating, relocating, or floodproofing structures, flood warning systems, evacuation planning, floodplain mapping, land use regulations and zoning, floodplain management plans, flood emergency preparedness plans, and risk communication.

AUTHORITIES

The FPMS program was authorized by Section 206 of the Flood Control Act of 1960, as amended (33 U.S. Code § 709a). FPMS is sometimes referred to as the "Section 206" program.

REQUESTING ASSISTANCE

A non-federal government or non-federal public agency, such as those listed in the box to the left, may contact the Corps to request assistance with its priority floodplain management concerns. Other these concerns are described in a state or local hazard mitigation plan. If the



Metro-Nashville HEC-RTS Models User Guide

Real time flood forecasting user guide, Nashville District, 2027

POTENTIAL PARTNERS
requested by and provided for the benefit of:

- State, Regional, or Local Governments
- Indian Tribes
- Other Non-Federal Public Agencies

In these circumstances, the Corps may participate in the collaborative effort at full federal cost.

U.S. ARMY CORPS OF ENGINEERS

www.usace.army.mil



PAS PROGRAM BACKGROUND



Authority – Section 22, WRDA 1974, as amended

Purpose – Make USACE expertise available for efforts pertaining to planning for water and related resources.

Key Points:

- Wide breadth of scope types that includes any type of technical assistance USACE has expertise in
- Ability to quickly provide planning level assistance to partners on a smaller and faster scale than traditional feasibility studies

Example PAS Projects

Floodplain delineation

Flood hazard evaluation

Comprehensive floodplain management

Storm water management

Flood risk reduction

Stream and Wetland Assessments

Coastal assessments

Watershed planning

Water Supply

Water Quality

Environmental Restoration

Fish and Wildlife



WHO CAN PARTICIPATE?

- A state;
- Group of states;
- Local government;
- Non-federal public bodies;
- Regional coalition of governmental entities;
- Federally-recognized Indian Tribes; *
- Specified territories; *
 - Puerto Rico, Virgin Islands, Guam, American Samoa, Northern Mariana Islands
- Not for profits
 - The not for profit entity must provide a letter from the affected local government consenting to the provision of such Section 22 assistance to the nonprofit entity





TYPES OF AGREEMENTS

Comprehensive Water Resources Planning

- Planning for the development, utilization, and conservation of the water and related resources of drainage basins, watersheds, or ecosystems, including plans to comprehensively address water resources challenges such as the state water plan.
- Typical water resources problems and opportunities included in comprehensive state water resource planning efforts include: flood risk management, water supply, water conservation, environmental restoration, water quality, hydropower, erosion, navigation, fish and wildlife, cultural resources, and environmental resources.
- Cost-share: 50% federal/50% non-federal
 - Non-federal voluntary contributions in excess of cost-share requirement
 - Non-federal share may include in-kind services for Comprehensive Plans

Technical Assistance

- Technical work related to management of state water resources in support of a water resources management plan, related land resources development plan or other water resources management related planning documents.
- Coastal assessments for natural and nature-based infrastructure, stream and wetland assessments, sewer and stormwater infrastructure inventories and databases, coast-shed and watershed planning, flood risk assessments, GIS mapping, water supply demands, etc.
- Cost-share: 50% federal/50% non-federal
 - Non-federal voluntary contributions in excess of cost-share requirement
 - In-Kind Services not permitted for Technical Assistance



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JUSTICE40 INITIATIVE INCLUDES THE FPMS & PAS PROGRAMS

- The FPMS and PAS programs were identified in Environmental Justice and Justice40 Initiative in 2022
- These programs will strive to provide 40% of the program investments into underserved communities
- Cost-share waivers are available for those communities



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INTRODUCTION TO THE CONTINUING AUTHORITIES PROGRAM (CAP)

Congress provided the Corps with 9 standing authorities to study and build specific water resource projects.

These projects:

- Need to be requested by a local Sponsor –city, county, state, local government agencies, or non-government organizations in the form of a letter
- Each authority has a statutory limit on Federal funding
- Do not need Congressional authorization
- (Does receive concurrence during New Study proposal process)
- Implement quickly
- Have limited scope and complexity
- Have established Federal Cost limits
- Do not compete with general investigations for prioritization



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AUTHORITY

PROJECT PURPOSE

Section 14	Emergency stream bank and shoreline protection for public facilities, such as roads, bridges, hospitals, schools, and water & sewage treatment plants, that are in imminent danger of failing.
Section 103	Protection of public and private properties and facilities against damages caused by storm driven waves and currents by the construction of revetments, groins, and jetties, and may also include periodic sand replenishment.
Section 107	Improvements to navigation including dredging of channels and widening of turning basins.
Section 111	Prevention or mitigation of erosion damages to public or privately owned shores along the coastline when the damages are a result of a Federal navigation project.
Section 204	Regional Sediment Management and beneficial uses of dredged material from new or existing Federal projects for ecosystem restoration, FRM or HSDR purpose.
Section 205	Local protection from flooding by non-structural alternatives (e.g. flood warning systems) or by construction of structural flood damage reduction features such as levees, channels, and dams.
Section 206	Aquatic ecosystem restoration.
Section 208	Local protection from flooding by channel clearing and excavation, with limited embankment construction by use of materials from the clearing operation only.
Section 1135	Modifications of USACE constructed water resources projects to improve the quality of the environment. Also, restoration projects at locations where an existing Corps project contributed to the degradation.



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- Feasibility Phase: Initial \$100k is fully Federal, and additional is cost shared 50/50

Program Authority	Description	D&I Cost Share % Fed/non-Fed	Federal Funding Limits	
			Project	Annual Program
Section 14	Flood Control Act of 1946 (PL 79-526), as amended for emergency streambank & shoreline protection for public facilities & services.	65/35	\$10,000,000	\$25,500,000
Section 103	River & Harbor Act of 1962 (PL 87-874), as amended, amends PL 79-727, an act approved August 13, 1946 which authorized Federal participation in the cost of protecting the shores of publicly owned property from hurricane & storm damage.	65/35	10,000,000	38,000,000
Section 107	River & Harbor Act of 1960 (PL 90-483), as amended for navigation.	Varies	10,000,000	63,000,000
Section 111	River & Harbor Act of 1968 (PL 90-483), as amended, for mitigation of shoreline erosion damage caused by Federal navigation projects.	same as original project	12,500,000	N/A
Section 204	Beneficial Uses of Dredged Material, Water Resources Development Act of 1992 (PL 102-580), as amended.	65/35	10,000,000	63,00,000
Section 205	Flood Control Act of 1948 (PL 80-858), as amended, for flood control.	65/35	10,000,000	69,250,000
Section 206	Aquatic Ecosystem Restoration, Water Resources Development Act of 1996 (PL 104-303), as amended.	65/35	10,000,000	63,000,000
Section 208	Flood Control Act of 1954 (PL 83-780), as amended, originally Section 2, Flood Control Act of August 28, 1937 (PL 75-406) for snagging and clearing for flood control.	65/35	500,000	8,000,000
Section 1135	Project Modifications for Improvement of the Environment, Water Resource Development Act of 1986 (PL 99-662), as amended.	75/25	10,000,000	50,500,000



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ELIGIBILITY REQUIREMENTS

A project. . .

- Must meet the requirements of Federal interest and Corps responsibility set forth in one of the nine legislative authorities
- Must be complete in itself and shall not obligate the Federal government to future work, except in those cases in which maintenance by the Federal government is specified by law or allowed by policy
- **Must have a viable and active cost share sponsor**



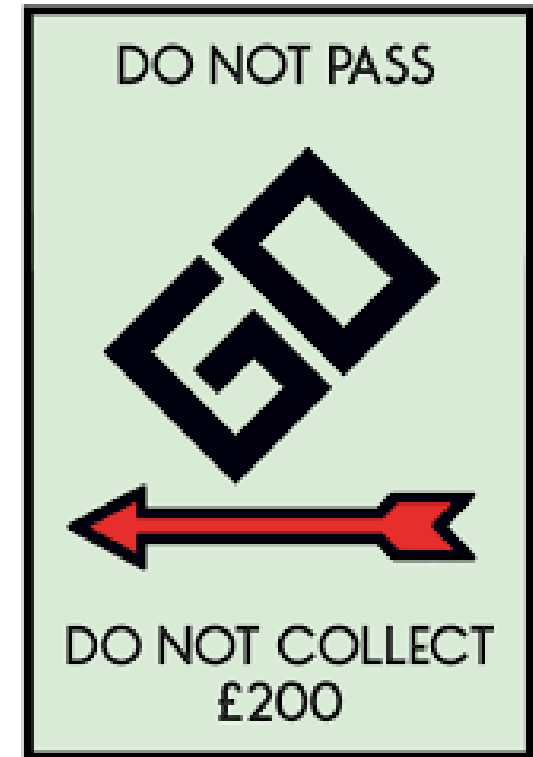
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PROGRAM RESTRICTIONS

A Project does not qualify if it. . .

- Is a Study only
- Implements or replaces a specifically authorized project
- Used as a building block for a larger scale project
- Changes sponsor responsibility (existing project or regulation) or adopts non-federal O&M
- Restores Corps projects to authorized dimensions
- Corrects design deficiencies on Corps projects



SCALE & COMPLEXITY

“The Purpose of CAP is to plan and implement projects of limited size, cost, scope and complexity.”

-Engineering Pamphlet 1105-2-58

- Small Project or Project Area
- Obvious & Understood Problem
- Simple Solutions





PROCESS

1. Letter of Intent submitted to USACE by Non-Federal Partner
2. Galveston District to input into systems and communicate funding requirements
3. If available, \$100k (not cost shared) will be given to District to complete the Federal Interest Determination, develop Feasibility cost estimate, and execute Feasibility Cost Share Agreement with Non-Federal Partner
4. Project completed Feasibility planning phase at a 50/50 cost share and develops plan, ending in Decision Document
5. Non-Federal Partner and USACE will enter into a Project Partnership Agreement for the new Design and Implementation Phase, typically under a new cost share percentage
6. Plan undergoes further design and enters construction if project is within CAP Federal funding limitations



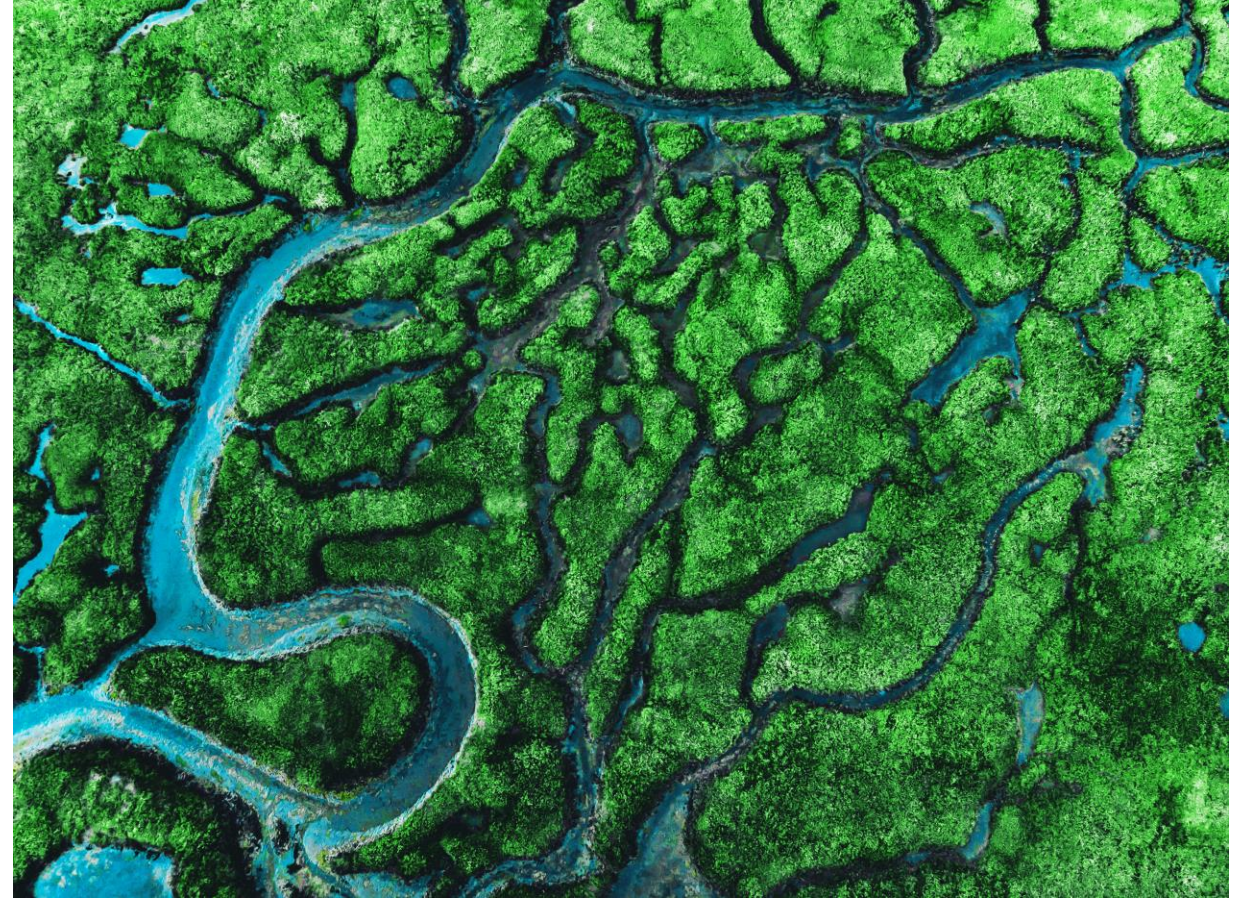
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SECTION 165A PILOT PROGRAM

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- Authorized by WRDA of 2020, directing the USACE to implement a pilot program to carry out CAP projects for economically disadvantaged communities, at 100% Federal cost
- Project applications went straight to the ASA Civil Works Office for consideration
- Applications were due in June 2023
- 12 projects were selected across the U.S. in August 2024
- Cameron County, TX project was selected for Aquatic Ecosystem Restoration of Resacas within the Lower Rio Grande Valley
- Will be looking ahead to see how this pilot program evolves and language in future WRDAs



QUESTIONS OR WANT TO HEAR MORE?

Aaron Chastain
Jonathan.a.Chastain@usace.army.mil
Cell: 409-310-2484



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