

17 October 1997

Re: NEPA Technical Inquiry 0168 - Critical Action Citation

Dear NEPA Call-In User:

This letter is in response to your September 29, 1997 request for the citation for the requirement to subject critical actions to a higher standard - the 500-year floodplain. You stated it is widely known that GSA and other Federal agencies must not locate critical actions in the 100-year floodplain, but hold them to the higher standard of the 500-year floodplain. Specifically, you would like to know where this requirement is cited.

#### SUMMARY OF FINDINGS

NEPA Call-In found the citation for locating critical actions in the 500-year floodplain in the "Floodplain Management Guidelines for Implementing E.O. 11988," U.S. Water Resources Council (WRC), 43 Federal Register (FR) 6030, February 10, 1978. NEPA Call-In's detailed findings are provided below.

#### DETAILED FINDINGS

NEPA Call-In reviewed Executive Order (EO) 11988, "Floodplain Management," May 24, 1977. The EO does not reference critical actions, but states that "existing processes, such as those of the Council on Environmental Quality and the Water Resources Council, shall be utilized to fulfill the requirements of [the] Order."

We then reviewed "Further Advise on Executive Order 11988, Floodplain Management," Federal Emergency Management Agency (FEMA), undated. This document states that critical actions are defined by the WRC, Floodplain Management Guidelines.

NEPA Call-In reviewed "Floodplain Management Guidelines for Implementing EO 11988," 43 Federal Register (FR) 6030, WRC. This document was reprinted by FEMA in 1986. Part II, "Decision-Making Process," Step 1, "Determine if a Proposed Action is in the Base Flood Plain," Part 1.B, "Limits of Flooding," states:

"All agency heads will be concerned at a minimum with the floodplain area which would be inundated by a flood having a one percent chance of occurring in any given year - the so-called '100-year or base flood'...In addition, agency heads should consider the implications of the occurrence of a flood larger than the base flood on the economies and safety of a proposed floodplain action. If a proposed action would be especially dangerous when exposed to larger floods, consideration must be given to the larger floodplain area. Herein, such larger floodplains are identified as those of a flood with a 0.2 percent chance of occurring in any year - the so-called '500-year flood.'"

In a follow up call to you, you requested that we fax you the above citation, which we did on October 1, 1997. You also requested a complete copy of the WRC Floodplain Management Guidelines for Implementing EO 11988 (enclosed).

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Sincerely,

(Original Signed)

NEPA Call-In Researcher