



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-7000

OFFICE OF COMMUNITY PLANNING
AND DEVELOPMENT

June 10, 2021

SUBJECT: Updating HUD's Floodplain Management and Wetlands Protection Regulations

Dear Tribal Leader:

The U.S. Department of Housing and Urban Development (HUD) is in the process of updating its floodplain management and wetlands protection regulations. In accordance with HUD's Tribal Consultation Policy, HUD is reaching out to Tribal leaders to solicit feedback. Specifically, HUD is seeking comments regarding HUD's floodplain management and wetlands protection regulations at 24 CFR Part 55 and how to implement the Federal Flood Risk Management Standards (FFRMS).

Due to the ongoing COVID-19 National Emergency, HUD will host a virtual Tribal consultation via webinar on **June 28, 2021**. The webinar begins at **3:30 p.m. Eastern Daylight Time** (you may join the conference 10 minutes prior). To join the consultation session please follow the steps below:

Step 1: Dial into the conference.

Dial-in: 888-251-2949 or 215-861-0694

Access Code: 3374912#

[Need an international dial-in number?](#)

Step 2: Join the conference on your computer.

Entry Link: <https://ems8.intellor.com/login/839472>

When you access the entry link above, you will be provided a choice - to install the WebEx plug-in for your preferred browser or to join the web conference using a temporary path. Either option is acceptable.

Need technical assistance?

Technical Assistance for Audio Connection: 1-888-796-6118

Technical Assistance for WebEx Connection: 1-888-793-6118

(We understand that some people may have difficulty logging into Webex. We recommend that you use the Google Chrome web browser to log in to the meeting.)

We appreciate your expertise and insight, and we strive to provide different ways for you to share your ideas with HUD. If you have any recommendations or comments, please submit your feedback electronically to: EnvironmentalPlanningDivision@hud.gov. We ask that you provide your feedback by **July 13, 2021**.

HUD will draft a new regulation (a “proposed rule”) this summer based on its research and comments collected from Tribes during the initial 30-day comment period. HUD will then send this draft to all Tribal Leaders and housing executives for an additional, 60-day tribal comment period. This 60-day period, which will allow Tribes to examine the draft proposed rule and collaborate with HUD, will occur prior to, and in addition to, the standard public comment periods associated with publishing rules in the Federal Register.

Additional Background

On January 30, 2015, Executive Order 13690 (Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input) established FFRMS to address current and future flood risk and ensure that projects funded with taxpayer dollars last as long as intended. On October 28, 2016, HUD published a Proposed Rule in the [Federal Register](#) to solicit public comments on its proposal to implement FFRMS. This Rule would have amended HUD’s existing floodplain regulations to require a greater level of flood protection for new construction and substantial rehabilitation projects. It would have required that these projects be elevated two feet above the base flood elevation and that “critical actions” (such as hospitals) be elevated further. However, before HUD was able to publish a Final Rule formally revising Part 55, Executive Order 13807 was issued on August 15, 2017, revoking Executive Order 13690. HUD formally withdrew its proposed rule implementing the order on December 22, 2017.

On May 20, 2021, Executive Order 14030 reinstated Executive Order 13690, thereby reestablishing the FFRMS. HUD is now drafting a new Proposed Rule based on its 2016 proposal and the [2015 Guidelines for Implementing FFRMS](#). In addition to FFRMS, HUD is considering broader revisions to Part 55 to improve clarity, modernize standards, and implement HUD’s climate resilience goals related to floodplain and wetland protection.

Thank you for your continued partnership and collaboration in the effective delivery of HUD’s programs in Indian Country.

Sincerely,



Moriel Tchaou
Acting Director, Office of Environment and Energy