

# Biden-Harris Administration Finalizes Rule to Increase Resilience Against Flooding Nationwide

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WASHINGTON -- The Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) published a Final Rule to implement the Federal Flood Risk Management Standard (FFRMS). The standard is a flexible framework to increase resilience against flooding and help protect communities.

In recent years, communities have seen repeated flooding that threatens both lives and property. Previous approaches, based on historical data, have become outdated. By using the best available science, FFRMS strengthens FEMA's standards to incorporate both current and future flood risk, making taxpayer-funded projects far more resilient to flooding, protecting federal investments and reducing the risk of damage and loss from floods. Additionally, FEMA will pay for the applicable federal cost share to implement the FFRMS which is often 75% or more.

"The human and economic cost of flooding is devastating and will only grow in the years ahead as the impacts of climate change grow more intense and reach more communities," said Secretary of Homeland Security Alejandro N. Mayorkas.

"Taking forward-looking, effective steps to increase resilience before disaster strikes will save lives, property, critical infrastructure and taxpayer money. The Federal Flood Risk Management Standard ensures that FEMA-funded projects meet that mandate. We cannot be passive as climate change threatens the safety and security of the American people and our homeland."

"Climate change has exacerbated flood risk across the country, especially when it comes to sea-level rise. The Biden-Harris Administration is taking action to address these heightened risks by getting this new standard over the finish line," said FEMA Administrator Deanne Criswell. "FFRMS will allow us to enhance resilience in flood-prone communities by taking future flood risk into consideration when we rebuild structures post-disaster. This is a huge win that will also allow us



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to end the repeat loss cycles that stem from flooding and increase the safety of families and save taxpayer dollars.”

“As climate change increases the frequency and severity extreme weather events, President Biden is taking bold action – mobilizing historic investments to protect communities before the storm strikes, upgrade critical infrastructure to reduce vulnerability and risk and boost our collective capacity to recover quickly after disasters,” said National Climate Advisor Ali Zaidi. “By using common-sense solutions like elevating or floodproofing critical infrastructure, today’s rule will help local communities harness the best in science and engineering to better prepare for flood risks from rising sea levels and damaging storms. This important step will help protect taxpayer-funded projects, including fire and police stations and hospitals, from flood risks and is an integral part of the Biden-Harris administration’s broader efforts to enhance climate resilience across the country.”

This rule allows FEMA to consider the best available science in making projects and communities more resilient to increased flood conditions. The standard applies to FEMA-funded actions involving new construction, substantial improvement, or repairs to substantial damage.

FFRMS also applies to Hazard Mitigation Assistance projects involving structure elevation, dry floodproofing and mitigation reconstruction. This advances the [National Climate Resilience Framework](#)’s goal of building a climate-resilient nation. This higher standard considers both current and future flood risks associated with climate change and other threats.

Finalization of the rule supplements additional actions President Biden announced last week to protect workers and communities from extreme weather. After receiving an operational briefing on extreme weather from Department of Homeland Security Secretary Alejandro Mayorkas and FEMA Administrator Deanne Criswell, President Biden [announced](#) \$1 billion for 656 projects across the country to help communities protect against disasters and natural hazards, including extreme heat, storms and flooding.

This action is the latest in an all-of-government approach to minimize flood risks and implement the FFRMS. These efforts have included the issuance of a [Federal Flood Standard Support Tool \(Beta\)](#), a [FFRMS Standard Floodplain Determination Job Aid](#), a [State of the Science Report on Climate-Informed Science Approach for](#)



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[flood hazards](#), and implementation of the FFRMS by the Departments of Agriculture, Defense, Health and Human Services, Housing and Urban Development, Interior, and General Services Administration.

## **Expansion of the Floodplain**

As climate change and other threats have increased flood risk across much of the United States, the FFRMS allows FEMA to consider the best available and actionable climate science in making projects and communities more resilient to increases in flood conditions due to sea level rise and other environmental changes.

Prior to the FFRMS, FEMA required non-critical projects to be protected to the 1% annual chance (100-year) flood to minimize flood risk. Critical projects, like the construction of fire and police stations, hospitals and facilities that store hazardous materials, had to be protected to the 0.2% annual chance (500-year) flood. This standard reflected only current flood risk.

The FFRMS will increase the flood elevation -- how high -- and floodplain -- how wide -- to reflect future, as well as current, flood risk for actions subject to the standard.

Implementing the FFRMS is an important step toward mitigating future flood risk that will benefit communities by allowing them to avoid or recover from future disasters more efficiently and effectively. Communities can protect against future flood risk by building outside of the floodplain, elevating, floodproofing, or using nature-based solutions.

## **Minimal Estimated Implementation Costs of Less than 2% for FEMA and Applicants**

This standard requires incorporating flood resilience measures into project designs that could marginally increase the project cost. However, this minimal cost increase is expected to result in far greater savings over time due to avoided flood damage.

FEMA pays for the costs to implement the FFRMS at the applicable cost share for the project, often 75% or more. FEMA has found that incorporating 2-feet of elevation into a new building design on average adds only 1.91% to the total



project cost.

As an example, on a \$1 million dollar project with a federal cost share of 75%, the estimated increased project cost to the applicant is \$4,775. These improvements can help reduce the chances of repetitive property losses to flooding, lowering costs for taxpayers and communities.

## **Full Implementation of the Federal Flood Risk Management Standard**

Since August 2021, FEMA has partially implemented the FFRMS. Partial implementation relied on existing regulations to reduce flood risk, increasing minimum flood elevation requirements for structures in areas already subject to flood risk minimization requirements, but not horizontally expanding those areas.

The key distinctions between partial and full implementation are the expansion of the floodplain to reflect both current and future flood risk and the requirement to consider natural features and nature-based solutions. Using natural features and nature-based solutions can help preserve the benefits of floodplains across the nation, such as the ability to store and move floodwaters and create rich soils.

The Final Rule amends Title 44, Part 9 of the Code of Federal Regulations and will be effective on Sept. 9, 2024. For disasters declared on or after this date and notices of funding opportunity published on or after this date, the Federal Flood Risk Management Standard will apply to FEMA-funded actions involving new construction, substantial improvement or repairs to substantial damage.

