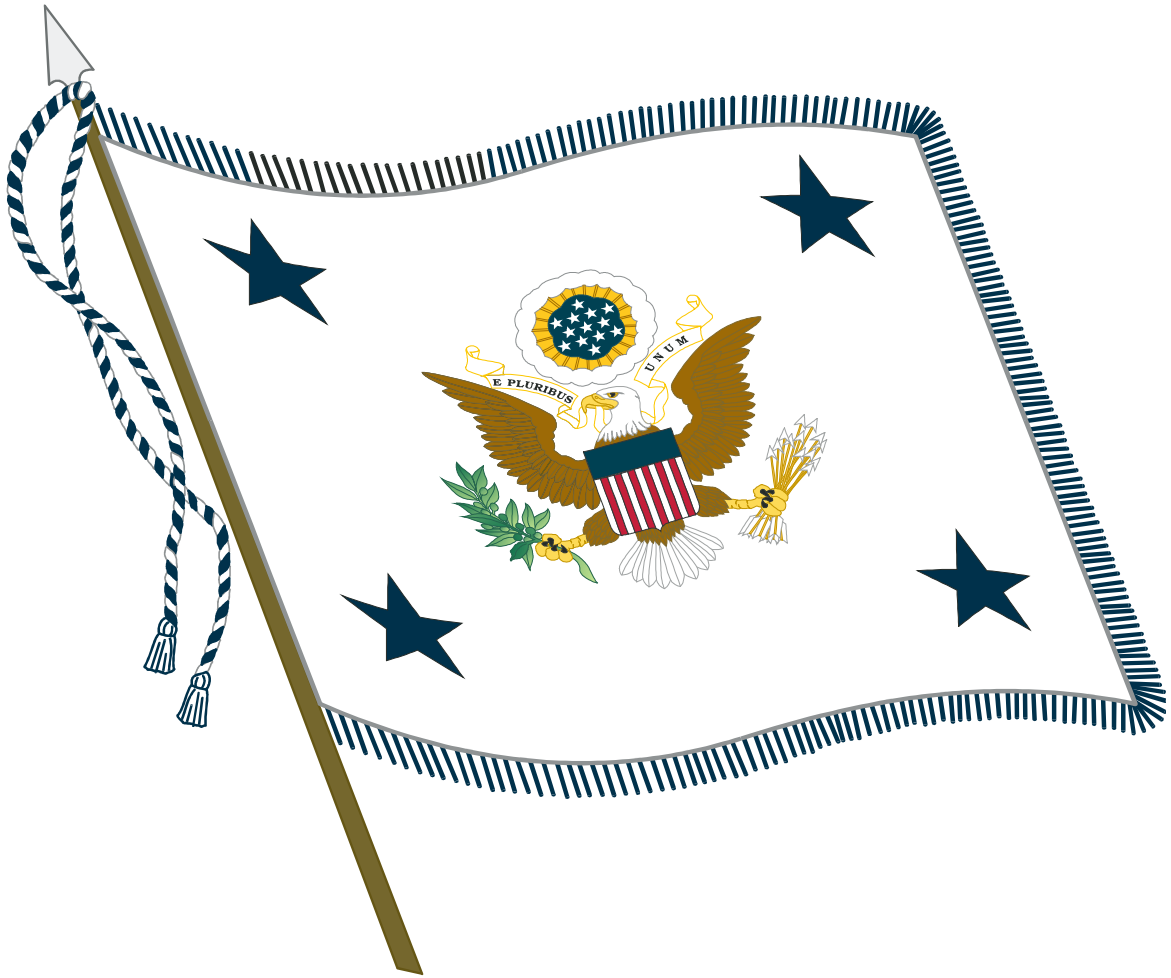
Agency Specific Procedures for the Principles, Requirements & Guidelines

OVERVIEW



21 May 2024

Summary

- Proposed Agency Specific Procedures (ASPs) for USACE's implementation of the Principles, Requirements and Guidelines (PR&G) published in Federal Register in February
- Provide an updated framework on how we evaluate proposed water resource development projects and programs
  - Maximize public benefits
  - Ensure recommended projects achieve their water management objectives and better reflect community needs and priorities

Background and Timeline

1903 — Rivers and Harbors Appropriations Act

Benefits in relation to costs

1936 — Flood Control Act

Benefits to whomever they may accrue are in excess of the estimated costs

1965 — Water Resources Planning Act

Multi-objective planning

1973 — Principles and Standards for Planning Water and Related Land Resources (P&S)

Enhance national economic development and enhance the quality of the environment

1983 — Principles and Guidelines for Water & Related Land Resources (P&G)

Background and Timeline

- 1983: Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies (P&G)
  - Four accounts:
    1. National economic development (NED) (required)
    2. Regional economic development (RED)
    3. Environmental quality
    4. Other social effects (OSE)
  - Four criteria:
    1. Completeness
    2. Effectiveness
    3. Efficiency
    4. Acceptability

Background and Timeline

- 2007: Section 2031 of the Water Resources Development Act - National Water Resources Planning Policy
  - Reflect national priorities, encourage economic development, and protect the environment by:
    1. Seeking to maximize sustainable economic development;
    2. Seeking to avoid the unwise use of floodplains; and,
    3. Protecting and restoring the functions of natural systems and mitigating any unavoidable damage to natural systems.
- Section 2031 of WRDA 2007 also called for revisions to the 1983 P&G

Background and Timeline

- 2014: Council on Environmental Quality issues the Principles, Requirements and Guidelines (PR&G):
  1. Principles and Requirements for Federal Investments in Water Resources (P&R)
  2. Interagency Guidelines (IG)
  3. Agency Specific Procedures (ASPs)

- 2020: Section 110 of the Water Resources Development Act
  - Directs Army to issues ASPs for USACE

- 2021: ASA(CW) Comprehensive Benefits Memo
  - USACE decision framework should comprehensively consider the total benefits of project alternatives, including equal consideration of economic, environmental and social categories

Comparison of P&G and PR&G

	1983 P&G	PR&G
Affected Federal Entities	USACE, Tennessee Valley Authority, Bureau of Reclamation, Natural Resource Conservation Service	USACE, TVA, Dept of Interior, Dept of Agriculture, Dept of Commerce, Environmental Protection Agency, Federal Emergency Management Agency
Scope of Application	Studies	Water resource investments
Activity Types & Suggested Threshold Criteria for Analysis	Studies, with no cutoffs or exclusions	Projects, Plans, and Programs with cutoffs provided for exclusions, scaled, and full analysis
Federal Objective	Contribute to the National Economic Development (NED) consistent with protecting the environment	Maximization of public benefits (environmental, social, and economic)
Decision Criteria	National Economic Development plan	Maximize public benefits relative to public costs using applicable selection criteria specific to the agency and consistent with PR&G

Key Changes in ASPs

- Strives to maximize public benefits
- Elevates locally-preferred alternative, nonstructural alternative, and nature-based solution alternative
- Transparency around tradeoffs
- Facilitates collaboration
- Promotes comprehensive alternatives

Final Array of Alternatives

- The final array of alternatives shall include, at a minimum, the following:
  - A no action alternative
  - A nonstructural alternative
  - A nature-based solution alternative
  - An environmentally preferred alternative
  - An alternative that seeks to maximize net public benefits
  - A locally-preferred alternative

- The same alternative may meet more than one category

Summary of Comments

- 193 entities provided comments (@ 50 distinct submissions), 300 specific comments on proposed rule
- Overall positive feedback
- Desire for more specifics which will come in follow-on implementation guidance
- Final array of alternatives including combination/hybrid approaches
- Exclusions/exceptions
- Role of non-Federal sponsor
- Incorporation of Indigenous Knowledge, Tribal concerns
- Monetary thresholds
- Net public benefits
- Quantitative vs. qualitative analysis

Next Steps

- Comment period closed April 15
- Evaluating comments received
- Incorporating changes as needed
- Intent to publish final rule by end of 2024
- Visit https://www.army.mil/asacw for more