



**US Army Corps
of Engineers®**

ENGINEERING AND CONSTRUCTION BULLETIN

No. 2008-10

Issuing Office: CECW-CE

Issued: 24 March 2008

Subject: Interim USACE Policy on Release of Inundation Maps

Applicability: Guidance

1. References:

a. Memorandum CECW-HS, dated 10 May 2007, Subject: Interim USACE Policy on Release of Inundation Maps. (Copy Attached)

b. Memorandum CECW-CE, dated 26 September 2007, Subject: Interim USACE Policy on Release of Inundation Maps. (Copy Attached)

2. Purpose: This Engineering and Construction Bulletin provides additional guidance and clarification on the use and release of inundation maps.

3. Protective Markings: All copies of inundation maps shall be marked FOUO in accordance with Chapter 5 (Controlled Unclassified Information) Army Regulation 380-5 (Department of the Army Information Security Program).

4. Discussion: There have been a number of questions raise concerning the use and release of inundation maps. The maps may be used in accordance with policy letters referenced above. Some uses approved by the policy letters include the following:

a. Part of the EAP. The primary use of inundation maps is to support the project Emergency Action Plan (EAP). As part of the EAP, copies of the maps may be given to the emergency management agency of communities or other jurisdictions that would be affected by a dam failure or other dam safety incident. The individual or office providing the map to the local jurisdiction should ask that the map be safeguarded and not distributed to the public. We recognize that these agencies operate under various state laws concerning the release of information and may have to release copies under their laws and regulations.

b. Public Meetings on Dam Safety. The inundation maps may be used in public meeting concerning dam safety. The maps may be displayed at the meeting and discussed. Copies of the full inundation maps for a dam shall not be distributed at the meeting without written approval from HQUSACE. When a public meeting is advertised to cover a specific locality, the portion of the inundation map required for that locality may be extracted and used as handouts at the public meeting.

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c. Use by Army Installations. If requested, copies of inundation maps may be made available to Army or other U.S. military installations in the area of the dam. These organizations must safeguard the maps in accordance with the FOUO markings.

d. Effect on Individual Location. When requested information from the inundation maps, may be furnished concerning an individual piece of property. This information should identify the property location, current owner, and time and depth of inundation. The information should be requested in writing and the reply provided in writing.

5. Inundation maps shall not be posted on Corps of Engineers web sites, and electronic copies of the maps shall not be released without prior approval from HQUSACE in accordance with Reference a. of this document.

6. Points of contact for this ECB are Eric Halpin, 202-761-7662 and Charles Pearre, 202-761-0338.

//S//

JAMES C. DALTON, P.E.
Chief, Engineering and Construction
Directorate of Civil Works

Enclosures as stated



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
WASHINGTON, D.C. 20314-1000

MAY 10 2007

REPLY TO
ATTENTION OF

CECW-HS

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Interim USACE Policy on Release of Inundation Maps

1. The U.S. Army Corps of Engineers (USACE) recognizes its responsibility to protect public safety and welfare by effectively communicating information to the public related to risks associated with USACE dams, while also protecting security interests by safeguarding sensitive information, e.g., consequence data on inundation maps. Effective communications will empower the public to make informed decisions about their personal welfare and safety. This policy provides interim guidance on the release of inundation maps.
2. Inundation maps, produced for many USACE civil works projects, depict the potential consequences associated with uncontrolled releases due to passage of extreme hydrologic events, terrorist attack, or the unlikely failure of a dam structure. These maps are essential in assisting emergency response agencies and personnel in the preparation of evacuation plans for affected communities and can be useful for informing the local public of potential risk. At the same time, the consequence information contained in these maps may pose a security risk to projects or communities by increasing its attractiveness as a potential target. The security and intelligence community has demonstrated the credibility of threats to critical infrastructure, including dams.
3. As a general rule, inundation maps and related dam safety information will be designated For Official Use Only (FOUO). USACE will process all requests for copies of this information in accordance with this policy memorandum.
4. Commands have the authority to release inundation maps and related dam safety information to officials from the Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA); adjacent and potentially impacted dam owners; state and local authorities who provide emergency services and/or notification; and other entities directly involved in flood insurance determinations. Sharing this information with these entities advances Federal Government interests by assisting local authorities in protecting public health, safety and welfare, while limiting the extent to which information could be used to threaten the dam project's security.
5. If a USACE Command believes that inundation maps or related dam safety information should be released to the public, the Command will prepare a release recommendation memorandum. The Command will submit the memorandum to HQUSACE for review and

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approval prior to the release of the information (POC is Edward J. Hecker, Chief, Office of Homeland Security, at 202-761-4601). The memorandum will include a copy of the documents to be released, both in electronic format (pdf file only) and hardcopy format, and will address the following questions:

a. How does the public interest in releasing the information outweigh security concerns?

b. Is the asset “critical”? “Critical” infrastructure is defined as systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters, see USA PATRIOT Act of 2001. This definition has also been adopted, by reference, in the Homeland Security Act of 2002.

c. Is this information already protected in some capacity by another Government agency or policy? If so, what are the restrictions?

d. Does the data contain infrastructure vulnerabilities, consequences and/or critical asset protection information? If so, what can be redacted?

6. In specific situations, HQUSACE will make the determination to release inundation maps, formally designated FOUO. These exceptional cases might arise from situations where the benefits of releasing inundation maps to the public are determined to outweigh security risks posed to a region. In those instances where release to the public is approved by HQUSACE, inundation maps may be posted in electronic format (pdf file only) on the District or project-specific website or may be provided in hardcopy format. Maps will be labeled with warnings regarding any limitations on release or further use of the data beyond the purposes for which they were prepared. Specifically, it will be clear that inundation maps are not evacuation maps. Inundation maps as stand-alone products may not provide the public with easily understood information about the risk they face under a dam safety emergency situation. In these emergency cases, Districts will provide a non-technical graphic representation that educates and informs the affected public and communicates risk. In addition, Districts will refer affected residents to their respective local emergency responders for information related to local emergency evacuation plans.

7. Freedom of Information Act (FOIA) requests will be processed by the local FOIA Office pursuant to existing procedures. The FOIA Office will take into consideration this policy memo and the recommendations of the document proponent/program office. Determinations to release over the objection of the document proponent will be coordinated with the HQUSACE FOIA Program Office.

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8. USACE is committed to effectively communicating risk to project stakeholders and the public. Local conditions and levels of concern vary, but clear and candid communications allow the public to make informed decisions on risk. It is more important than ever to fulfill our responsibility to conduct business openly and candidly unless such communication would pose unacceptable risks to USACE projects.

9. Points of contact at HQUSACE are: Eric C. Halpin (Dam Safety) at 202-761-7775, Kenneth M. Fleming (G2, Intelligence Office) at 202-761-0541, Richard Frank (Legal Counsel) at 202-761-8557, Suzanne M. Fournier (Public Affairs) at 202-761-4715, and Yazmin Seda-Sanabria (Homeland Security) at 202-761-4667.



CARL A. STROCK
Lieutenant General, USA
Commanding

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SEP 26 2007

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MEMORANDUM FOR SEE DISTRIBUTION

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1. Reference is made to the memorandum dated 10 May 2007.
2. Paragraph 4 of that memorandum has been revised as follows:

“Commands have the authority to release inundation maps and related dam safety information to officials from the Department of Homeland Security (DHS), the Federal Emergency Management Agency (FEMA), and the National Weather Service (NWS); adjacent and potentially impacted dam owners; state and local authorities who provide emergency services and/or notification; and other entities directly involved in flood insurance determinations. Sharing this information with these entities advances Federal Government interests by assisting local authorities in protecting public health, safety and welfare, while limiting the extent to which information could be used to threaten the dam project’s security.”

3. The reference to the National Weather Service (NWS) should not have been omitted from the original memorandum.
4. Points of contact at HQUSACE are: Eric C. Halpin (Dam Safety) at 202-761-7775, Kenneth M. Fleming (G2, Intelligence Office) at 202-761-0541, Richard Frank (Legal Counsel) at 202-761-8557, Suzanne M. Founier (Public Affairs) at 202-761-4715, and Yazmin Seda-Sanabria (Homeland Security) at 202-761-4667.

FOR THE COMMANDER:

A handwritten signature in black ink, appearing to read "S. L. Stockton".

STEVEN L. STOCKTON, P.E.
Corps Dam Safety Officer
Deputy Director of Civil Works

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