



Environmental Management Floodplain Management Desk Guide

OVERVIEW

Avoiding or minimizing impacts of GSA actions in or affecting floodplains is important for the following reasons:

- Executive Order 11988 directs GSA to “take action to reduce the risk of flood loss, to minimize the impact of floods on human safety, health and welfare, and to restore and preserve the natural and beneficial values served by floodplains.”
- Every year in the United States, flooding causes an average of 100 deaths and more than \$1 billion in property damage. Flooding can severely damage GSA facilities and GSA customer property, and cost GSA customers time and money when then they are unable to occupy their building.
- Floodplain compliance is a component of responsible property management that can reduce the risk of property loss and protect client agency resources.

GSA Responsibilities	<ul style="list-style-type: none">Consider alternatives to avoid adverse effects and incompatible development of a floodplainIf there is no practicable alternative to undertaking an action in a floodplain, 1) design or modify the action to minimize potential harm to the floodplain, and 2) prepare and circulate a notice to local officials and the public explaining why the action needs to be in the floodplain
Regional Administrators (RA), PBS Assistant Regional Administrators (ARA) or Heads of Service or Business Lines	<ul style="list-style-type: none">Reviews projects <i>under their jurisdiction</i> in or affecting a floodplain and approves any decision that there is no practicable alternative to an action being in or affecting a floodplainEnsures that appropriate staff are aware of GSA’s floodplain responsibilities, are acquainted with EO 11988 and the Floodplain Management Desk Guide, and are held accountable for the quality of their actions and decisions
PBS Assistant Commissioner for Portfolio Management and Chief Architect	<ul style="list-style-type: none">Must approve any buildings to be constructed within the 100-year floodplain. PBS-P100, “Facility Standards for PBS,” provides that no buildings can be built in the 100-year floodplain; however, exceptions may be allowed if approved by PBS Assistant Commissioner and the Chief Architect
Director, Division of Environmental Business Strategies	<ul style="list-style-type: none">Maintains this Desk Guide and revises it when necessaryAdvises other GSA managers and PBS Business Offices on how to address impacts to floodplainsRepresents GSA in interagency coordination on matters related to floodplain management, and coordinates with the Federal Emergency Management Agency (FEMA) and other agencies involved in floodplain management

Regional Counsel and Office of General Counsel	<ul style="list-style-type: none"> ☞ Reviews GSA programs and projects for legal sufficiency and to ascertain whether the proposed action complies with E.O. 11988 ☞ Regional counsel should be informed of any proposed actions in a floodplain early in the process in order to provide meaningful legal review
Leasing Specialist/ Realty Specialist/ Project Staff	<ul style="list-style-type: none"> ☞ Ensures that the “Solicitation for Offer” (SFO) first considers properties outside the floodplain ☞ Ensures that practicable alternatives that avoid the floodplain are identified and evaluated ☞ Notifies the Regional Environmental Quality Advisor (REQA) that a project is in or may affect a floodplain and requests a floodplain determination
Regional Environmental Quality Advisor (REQA)	<ul style="list-style-type: none"> ☞ Ensures that floodplain impacts are identified for projects, alternatives that avoid the floodplain are identified and evaluated (including the alternative of not proceeding with the action), and the 8-step process is initiated as early as possible ☞ Coordinates floodplain compliance with the National Environmental Policy Act (NEPA) process and documents the 8-step process in any NEPA document (i.e., Environmental Assessment [EA], Environmental Impact Statement [EIS], Finding Of No Significant Impact [FONSI], and Record of Decision [ROD]) ☞ If there is no practicable alternative to locating the action in or affecting the floodplain, ensures that: <ul style="list-style-type: none"> ☞ The action is limited or otherwise designed in such a way as to minimize impacts, for example by the use of better siting on the property or flood protection techniques ☞ Regional counsel and public relations entities should be informed of any proposed actions in a floodplain early in the process in order to provide meaningful legal review ☞ National, State, Indian tribal, and local floodplain management authorities and the concerned public are notified of the finding, and given full opportunity to comment on it ☞ Mitigation measures and other commitments resulting from the 8-step process and this Desk Guide are implemented

Pertinent Authorities Related to Floodplain Management

Topic	
E.O. 11988	Floodplain Management
E.O. 12072	Locating Federal Facilities – First Considerations to Centralized Community Business Areas
E.O. 13006	Locating Federal Facilities in our Nation’s Central Cities
43 FR 6030	Floodplain Management Guidelines for Implementing EO 11988
Interagency document published by FEMA	Further Advice on Executive Order 11988 Floodplain Management
ADM 1095.6	Consideration of Floodplains in Decisionmaking

Further Information
?? Federal Emergency Management Agency (FEMA) www.fema.gov
?? FEMA Flood Hazard Mapping www.fema.gov/mit/tsd/
?? National Flood Insurance Program www.fema.gov/nfip/
?? GSA PBS Floodplain Mapping Technical Guide

GSA RESPONSIBILITIES FOR FLOODPLAIN COMPLIANCE

What GSA actions require floodplain compliance?

EO 11988 and this Floodplain Management Desk Guide apply to any GSA activity which involves acquisition (by purchase or lease) or disposal of Federal lands and public buildings; renovations or building additions, financing or assisting in construction or improvements; or conducting Federal activities and programs affecting land use.

What are GSA's obligations under Executive Order 11988?

EO 11988 directs GSA and other Federal agencies to avoid floodplains unless it is determined that there is no practicable alternative. Where the only practicable alternative is to site in a floodplain, a specific step-by-step process must be followed to comply with EO 11988.

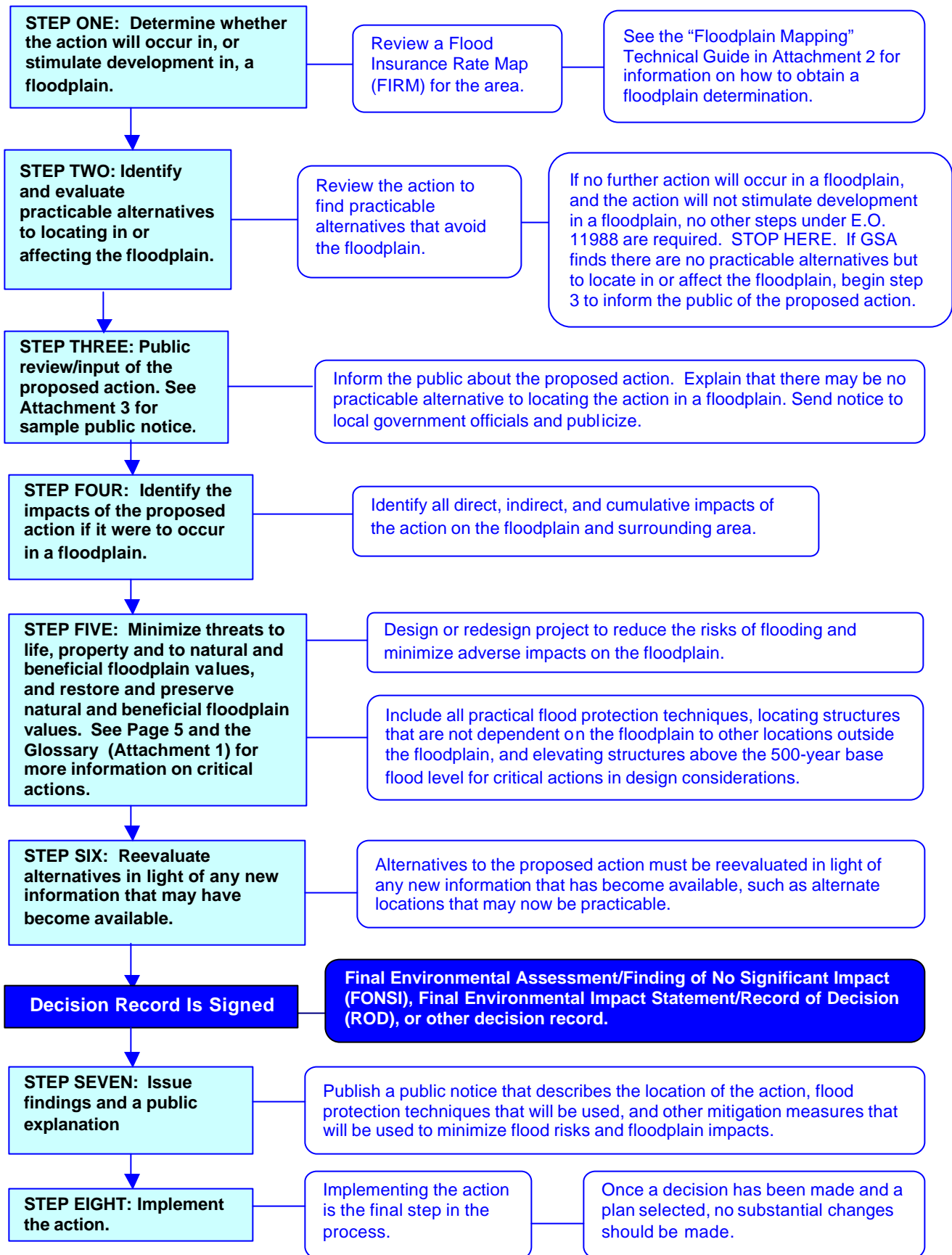
Is compliance with EO 11988 required for lease extensions, lease renewals, or succeeding and superseding leases?

Short-Term Lease Extensions	Succeeding Leases Superseding Leases Lease Renewals Long-Term Lease Extensions	New Leases
<p>/// Short-Term Lease Extensions (one year or less): Compliance with EO 11988 is not required if the same property's lease is extended.</p>	<p>/// If compliance with EO 11988 occurred at the time the original lease was signed, and if there is no substantial change in the use of the property, and there are no known changes to the floodplain, no additional compliance activities are necessary.</p> <p>/// If compliance did not occur when original lease was signed, Long-Term Lease Extensions (exceeding one year in duration), Succeeding and Superseding Leases, and Lease Renewals must comply with EO 11988 by completing the 8-step process.</p>	<p>/// Require compliance with EO 11988 by completing 8-step process.</p>

What is the easiest way to comply with EO 11988?

The easiest way to comply with the Executive Order is to ensure that the "Solicitation for Offer" (SFO) first considers properties outside the floodplain; that the locations of floodplains, if any, are identified in the project's initial market study; and that potential impacts to the floodplain are included in the NEPA planning document (i.e, the Environmental Assessment (EA) or Environmental Impact Statement (EIS)).

WHAT ARE THE EIGHT STEPS OF FLOODPLAIN COMPLIANCE?



FLOODPLAIN COMPLIANCE EVALUATION

When should floodplain compliance occur?

Compliance with EO 11988 should start early in the project's planning process before decisions have been made. If possible, floodplain compliance should occur as part of the NEPA compliance process. Since the 8-step process requires a public notice and public input (typically 21 to 30 days), the 8-step process must be started at least 45 days before the decision record needs to be signed.

How should floodplain compliance be coordinated with NEPA studies?

There are two basic ways that EO 11988 and NEPA studies should be coordinated. First, the 8-step process should be conducted as part of every EA, EIS, or CATEX screening analysis. Impacts to floodplains can be discussed in the EA or EIS as a separate resource or included with other affected resources such as hydrologic or water quality issues. Secondly, the public notification and public involvement requirements should be combined.

Could an action be Categorically Excluded from NEPA but still require floodplain compliance?

Yes. Some Automatic and Checklist CATEXs have the potential to affect floodplains, floodplain resources, or floodplain development. These include the acquisition of space within an existing structure, relocation of employees into existing Federally controlled space, or repair and alteration projects that are within or near a floodplain. CATEX properties are not automatically exempt from floodplain compliance procedures.

Are there additional requirements if the proposed project is a "critical action"?

Yes. A "critical action" is any activity for which even a slight chance of flooding would be too great. Examples of critical actions include, but are not limited to site acquisition and construction of new courthouses; storage of national strategic and critical materials; storage of irreplaceable records; child care facilities; FEMA offices and facilities; and public benefit conveyances for schools or prisons. Critical actions cannot be located in either a 100- or 500-year floodplain unless there is no practicable alternative. If there is no practicable alternative and a critical action must be located within a 100-year or 500-year floodplain, structures should be elevated above the 500-year base flood.

GSA customers decide if their actions are critical or not, but GSA staff should work with the client agency to ensure that their decisions are reasonable. For example, client agencies could use the EO to favor locations that may not enhance mission requirements. Therefore, the client agency should provide to GSA written justification (signed by a senior representative) demonstrating that the action is or is not a "critical action," including information about whether similar agency requests for space were also "critical actions."

How does GSA determine if an action will occur in a floodplain?

The boundary of the nearest 100-year or 500-year floodplain, and the proximity of the action to the nearest floodplain, should be based on a Flood Insurance Rate Map (FIRM). These are available through the FEMA flood insurance mapping website, (See "Further Information," above). See also the "Floodplain Mapping" Technical Guide.

What if there is no FIRM—does this mean that the community is not located in a floodplain?

No, floodplains in many rural or newly developed areas has not been studied in detail so no FIRM is available. However, this does NOT mean that the area is outside a floodplain. If no FIRM exists, you should contact the FEMA Regional Office, U.S. Army Corps of Engineers (USACE), U.S. Department of Agriculture, Natural Resources Conservation Service, or other Federal, State, or local agency, such as the State Department of Natural Resources, to determine if flood hazard studies have been conducted for the area. If no information exists, a survey may be necessary to identify the floodplain boundaries.

How can GSA determine if a proposed action on a property near a floodplain could induce inappropriate floodplain development?

An action that is not actually located within a floodplain can still induce floodplain development. To answer this question, consider if the action is likely to cause others to construct office buildings, stores, residences, parking lots or other facilities in the floodplain that may result in additional flood risk to human life or property. Open space, wildlife refuges, and parkland use are examples of uses that would NOT be likely to result in additional flood risk.

Is floodplain compliance necessary if the proposed action must occur in a location that is entirely within a floodplain, such as downtown New Orleans?

Yes. There are circumstances when a community's entire Central Business District (CBD) is situated in a floodplain and the agency's mission requires them to be located in the CBD. Even though there is no practicable alternative to locating in the floodplain, there are flood protection techniques that can be taken and areas within the floodplain that are lower risk.

In these situations, GSA should complete the 8-step process for a property, for not only the new lease, but also for any alterations or expansion reasonably anticipated for the future (for a period of five years, for instance). For example, if one client agency will be occupying a building immediately and another client agency will be occupying the building in six months, one 8-step process could be completed for both actions. GSA also has the option of conducting a "general area review" or a "class action review." The GSA region must work with the appropriate FEMA regional office for guidance on developing a "general area review" or a "class action review." [See "*Further Advice on Executive Order 11988*"]

Is floodplain compliance necessary if the community participates in the National Flood Insurance Program (NFIP)?

Yes. Communities are eligible to participate in the NFIP if they agree to adopt minimum standards to manage flood hazard areas. However, community participation in the NFIP does not meet GSA's requirement to comply with EO 11988 and cannot be substituted for floodplain compliance.

Is public involvement required for floodplain compliance?

Yes. Steps 3 and 7 of the 8-step process involve public notification and input. The first public notice informs people about the proposed action, explains why GSA believes there is no practicable alternative to locating the action in a floodplain, and solicits public input on the proposed action. The second public notice describes flood protection techniques and mitigation measures that will be used to minimize flood risks and floodplain impacts from the proposed action. See **Attachment 3** for a sample public notice.

What must be done if the action will not affect a floodplain?

If a proposed project will not directly or indirectly contribute to floodplain development, or is not within a Special Flood Hazard Area (SFHA) or base floodplain (or is not within the 500-year floodplain if a critical action), then nothing more is needed to comply with EO 11988 and this Desk Guide.

How should floodplain compliance be documented?

Ideally, floodplain compliance will be integrated into the NEPA process, so no other documentation will be necessary. However, if no NEPA document was prepared, information on the 8-step process should be included in the permanent project file. In particular, correspondence with local officials and the public notice should be retained. Since the RA or ARA is required to concur with all "findings of no practicable alternative," a decision document such as a signed memo should also be included in the project file.

FLOODPLAIN COMPLIANCE AND PROPERTY DISPOSAL

Does disposal of Federal real property require floodplain compliance?

Yes. Disposal of Federal real property is an action that requires compliance with the EO 11988, ADM 1095.2A and the Federal Property Management Regulations (FPMR). Each Report of Excess must include detailed information about any known flood hazards or flooding of the property, and a listing of any citations for restrictions under Federal, state, or local regulations. A Regional Office may decline to accept excess real property for disposal until the holding agency has complied with EO 11988 and related guidance, or may condition its acceptance of property upon such compliance by the holding agency.

When property in a floodplain is proposed for lease, easement, right-of-way, or disposal to non-Federal public or private parties, EO 11988 Section 3(d) directs Federal agencies to:

1. Reference the floodplain in the conveyance restrictions under identified Federal, state or local floodplain regulations; and
2. Attach other appropriate restrictions considered necessary to further the purposes of EO 11988, except where prohibited by law; or
3. Withhold such properties from conveyance.

In cases of property disposal, should GSA inform potential buyers that the property is located in a floodplain?

Yes, all potential recipients of the property should be told that the property is within a floodplain and that there may be restrictions on the property. For example:

- ☞ Identify in the Invitation for Bid (IFB) possible restrictions under Federal, state and local floodplain regulations (restricted uses likely will be detailed in state floodplain regulations and local building codes and zoning ordinances). Attach to the IFB other appropriate restrictions that GSA has determined are necessary to further the purposes of EO 11988.
- ☞ Include information about the floodplain in the assignment letter if the property is being disposed of as a public benefit conveyance.

Attachment 4 contains standard language that should be included in the IFB and the conveyance documents to alert recipients to floodplain restrictions and requirements.

COORDINATION WITH OTHER EXECUTIVE ORDERS

How should floodplain compliance be coordinated with other Executive Orders?

In order to support community economic vitality, EO 12072 requires that agencies first consider locating their actions in urban central business areas and adjacent areas of similar character, or in areas that may be recommended by local officials. EO 13006 directs agencies to give first consideration to the use of historic properties in historic districts within central business areas. Central business areas and urban historic districts are often located in or near floodplains. As a result, the requirements of EOs 12072 and 13006 must be carefully coordinated with those of EO 11988. As a general rule, health and safety issues always take precedence over issues relating to conduct of business. Therefore, EO 11988 limits the application of EOs 12072 and 13006 and should take precedence over acquisition of space in a central business or historic district.

An alternative location that involves a minor risk of encouraging floodplain development and no realistic potential for danger to human life may be justifiable if it advances the purposes of the EOs. For example, if an historic property is determined to be within a floodplain, but the use to which it will be put does not pose a risk to human life and property, or impact floodplain resources, then coordination with EO 13006 may be considered a mitigation measure against the minor flood risk or impacts to the floodplain (providing the 8-step process is followed).

To coordinate these Executive Orders, apply the following priorities to space considerations:

1. Historic buildings/sites within an historic district, in the central business area, and outside the floodplain.
 2. Historic buildings/sites outside an historic district, in the central business area, and outside the floodplain.
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3. Non-historic buildings/sites within an historic district, in the central business area, and outside the floodplain.
 4. Non-historic buildings/sites outside an historic district, in the central business area, and outside the floodplain.
 5. Historic buildings/sites within an historic district, outside the central business area, and outside the floodplain.
 6. Historic buildings/sites outside an historic district, outside the central business area, and outside the floodplain.
 7. Non-historic buildings/sites within an historic district, outside the central business area, and outside the floodplain.
 8. Non-historic buildings/sites outside an historic district, outside the central business area, and outside the floodplain.
 9. Historic buildings/sites within an historic district, in the central business area that are in a floodplain.
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If locations outside the floodplain are much more expensive, can excessively high cost make a location not practicable?

In some locations, restricting alternatives to areas outside a floodplain yet still within the Central Business Area (CBA) may severely restrict competition. "Practicable alternatives" are those that are available to GSA and capable of being done within existing constraints such as cost. For example, if offers for locations outside the floodplain greatly exceed the prospectus authorized by Congress or the prospectus threshold, then the sites are not affordable and they are not practicable alternatives. Additionally, in cases where land donations or land exchanges are a possibility, other practicable alternatives should still be identified and considered. A "free" site obtained through land exchange is not entirely "free," and site funding should be requested in the prospectus even in situations where the land might become available via donation or exchange. This will preclude delays if the donation or exchange does not occur and expands the list of practicable alternatives.

How should GSA balance the 8-step process with the Procurement Integrity Act?

The Procurement Integrity Act prohibits disclosure of source selection and contractor bid or proposal information. If violation of the Procurement Integrity Act is a concern, the public notice (Step 3) should discuss all proposed locations that are under consideration without defining a preferred alternative. Prior to issuing a final decision (Step 7 and Final EA/FONSI or Final EIS/ROD), GSA should obtain Best and Final Offers in accordance with the Procurement Integrity Act so that the decision can be announced simultaneously with contract award.

Attachment 1: Glossary/Definitions

Action. An “action” is any GSA activity that involves: (1) Acquiring, managing, or disposing of Federal lands or public buildings; (2) providing Federally undertaken, financed, or assisted construction and improvements; and (3) conducting Federal activities and programs affecting land use. Subpart 7 of ADM 1095.4 includes a nonexclusive list of GSA program actions.

Base flood. A “base flood” is a flood that has a 1-percent chance of occurring in any given year (the so-called 100-year flood).

Base floodplain. A “base floodplain” is an area that has a 1-percent or greater chance of flooding in any given year (the so-called 100-year floodplain).

Community. Any State or area or political subdivision thereof, or any Indian tribe or authorized tribal organization, or Alaska Native village or authorized native organization, that has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

Continuing Actions. “Continuing actions” are lease extensions, renewals, or succeeding leases where there will be no change in the general type of use, no modifications that could affect floodplains (such as increased parking areas), and only minimal change from the previous occupancy level.

Critical actions. The Water Resources Council document, “Floodplain Management Guidelines for Implementing Executive Order 11988,” defines a critical action as any activity for which even a slight chance of flooding would be too great a risk (and therefore should be located outside the 500-year floodplain). Examples include storage of irreplaceable records; storage of volatile, toxic, or water-reactive materials; construction or operation of hospitals and schools; and construction or operation of utilities and emergency services that would be inoperative if flooded. Examples of GSA actions that may be critical actions include, but are not limited to:

- (1) Storage of national strategic and critical materials;
- (2) Storage of Irreplaceable records;
- (3) Acquisition of health facilities for client agencies;
- (4) Child care facilities; and
- (5) Public benefit conveyances for schools, prisons, and some other institutional uses.

Critical action floodplain. A “Critical action floodplain” is an area that has a 0.2-percent chance of flooding in any given year (the so-called 500-year floodplain).

Direct impacts. “Direct impacts” are those impacts caused by the action that occur at the same time and place as the action.

Federal Advisory Committees Act (FACA). (P.L. 92-463) The FACA requires standards and uniform procedures for the establishment, operation, administration, and duration of advisory committees. FACA requires advisory committees to be advisory only; all matters under consideration are to be determined, in accordance with law, by the Federal agency involved. Advisory committees also must be chartered by the Federal agency.

Indirect impacts. “Indirect impacts” are secondary impacts caused by a direct impact, or that are caused by the action later in time or farther removed in distance, but still are reasonably foreseeable.

Floodplain. A “Floodplain” is the lowland and relatively flat area adjoining inland and coastal waters including tsunamis and seiche inundation zones and flood-prone areas of offshore islands. The floodplain can be a base floodplain or a critical action floodplain. A floodplain may be, but is not necessarily, a wetland area. Where a wetland may be involved, see ADM 1095.5, “Consideration of Wetlands in Decisionmaking,” and the Wetlands Impact Management Desk Guide.

The National Flood Insurance Program (NFIP). The NFIP was created under the National Flood Insurance Act of 1968 to facilitate effective management of floodplains, and is administered by FEMA. The NFIP program guides development away from flood hazard areas, when practicable; and requires flood-resistant designs and construction. Communities that participate in the NFIP do so based on agreements with the Federal government that they will implement and enforce local ordinances that contain protective floodplain development standards to reduce flood risks. These measures typically take the form of ordinances and design controls that require developers and property owners to (a) avoid development in Special Flood Hazard Areas (SFHA), and (b) protect those structures that must be constructed in SFHAs. Every community participating in the NFIP is listed in FEMA's "Community Status Book." The status book indicates when the community entered the program and the current status of each community. Some non-participating communities also are listed. The Community Status Book can be found on the FEMA web site at: www.fema.gov/fema/csb.htm

Practicable alternatives. "Practicable alternatives" are those that are available to GSA and capable of being implemented within existing constraints such as cost, existing technology, and logistics, considering pertinent natural (topography, habitat, hazards, etc.), social (aesthetics, historic and cultural values, land use patterns, etc.), economic (cost of space, construction, services, relocation, etc.), and legal (deeds, leases, etc.) factors.

Preserve. With reference to a floodplain, "preserve" means to prevent modification of the natural environment or to maintain its flood control function.

Public building. "Public building" means a Federal office building, post office, customhouse, courthouse, appraisers store, border inspection facility, warehouse, record center, relocation facility, and any other similar Federal facility as designated by the President. The complete definition of "public building" is located at Sec. 13(l) of the Public Buildings Act of 1959, 40 U.S.C. 612 (1).

Restore. With reference to a floodplain, "restore" means to re-establish a condition, setting, or environment in which the natural functions of the floodplain can operate.

Special Flood Hazard Areas (SFHA). SFHA is land area subject to inundation by a flood having a 1-percent or greater chance of flooding in any given year (base or 100-year flood).

Attachment 2: Pertinent Authorities Related to Floodplain Management

- ?? Executive Order 11988, "Floodplain Management"
- ?? "Floodplain Management Guidelines for Implementing EO 11988," 43 FR 6030
- ?? "Further Advice on Executive Order 11988 Floodplain Management"
- ?? ADM 1095.2A, "Consideration of Floodplains in Decisionmaking"
- ?? GSA PBS Floodplain Mapping Technical Guide
- ?? Executive Order 12072, "Locating Federal Facilities – First Considerations to Centralized Community Business Areas"
- ?? Executive Order 13006, " Locating Federal Facilities in our Nation's Central Cities"

NOTE: THESE ITEMS WILL BE ATTACHED TO THE FINAL DOCUMENT

Attachment 3: Sample Public Notice

PUBLIC NOTICE

Notification is hereby given to the public of the U.S. General Service Administration's (GSA) intent to *[describe the proposed action. For example, providing additional courthouse space in River City, Louisiana. The existing Federal Courthouse is within the Central Business Area (CBA), and listed on the National Register of Historic Places (National Register)].*

The location of the project makes it susceptible to flooding at or above the 100-year flood level. Under the President's Executive Order 11988, "Floodplain Management," GSA is required to review the project for possible alternative solutions to the proposed action. Alternatives considered included taking no action, *[describe alternatives including why the proposed action may be located within the floodplain, whether the action conforms to applicable State or local floodplain standards, why NFIP criteria are demonstrably inappropriate for the proposed action, how the activity will be designed or modified to minimize harm to or within the floodplain, and indicate how the action affects natural or beneficial floodplain values. For example, the agency considered but found not practical. For example: GSA considered locating the new facility outside the 500-year floodplain. However, this action would split the operation of the courts, thus reducing the court's efficiency and causing unnecessary duplication of effort and expense. GSA next considered abandoning the existing courthouse and relocating the entire facility to a larger site that would accommodate the complete operation. It was found that the alternative would remove the facility from the CBA. Additionally, because the existing courthouse is on the National Register, the action would not support the intent of EO 13006, which directs the Federal Government to "utilize and maintain, wherever operationally appropriate and economically prudent, historic properties and districts, especially those located in our central cities." Federal agencies are directed to give first consideration to historic properties within historic districts when locating Federal facilities. "If no such property is suitable, then Federal agencies shall consider other developed or undeveloped sites within historic districts." Finally, GSA considered taking no action but the need for additional courthouse space in River City had been clearly demonstrated.]*

Agencies that have been contacted for input into the analysis of this project include *[list, for example, U.S. Army Corps of Engineers, Federal Emergency Management Agency (FEMA) Regional office, State, County or City offices]*.

Public comment is invited on any of the alternatives listed or other possible alternatives. Interested persons may obtain more detailed information about this action and its specific location from GSA, [point of contact name, address]; or by calling (999)-999-9999 between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday. Comments about this project should be submitted in writing to [point of contact name, title] at the address above within fifteen (15) days of this notice.



Attachment 4: Sample Language For Use In Invitations To Bid For Disposal Actions and Conveyance Documents

In many instances, in order to completely protect the Government's interest, some type of notice and disclosure should be included in the Invitation for Bids and conveyance document. Below is an example of a clause that could be used. This is only a guide. However, it is recommended that you seek assistance from the Office of Regional Counsel in drafting the appropriate notices and disclosures.

SAMPLE DEED NOTICE

The property is located in the 100-year floodplain and is subject to any and all Federal, State, and local laws, rules, and ordinances governing land use in floodplain areas.
