

Electronic Mail Sent 9/14/2005

Subject: More Katrina Response Information (ESA & NHPA) From FWS SE Region

To Federal NEPA Contacts:

As we make progress in dealing with the aftermath of hurricane Katrina we must use all of the tools available to us to ensure that emergency response and revitalization actions are expedient. The attached guidance provided by the U.S. Fish and Wildlife Service Southeast Regional Director provides valuable information for ensuring compliance with the Endangered Species Act and the National Historic Preservation Act.

The Endangered Species Act: This statute has provisions specifically designed to deal with events such as the one we now face along the Gulf Coast as a result of hurricane Katrina. To facilitate and expedite Federal actions associated with this event, the U.S. Fish and Wildlife Service has provided the attached document to serve as immediate guidance on applicable provisions of the ESA. It is important to note, as highlighted in the attached guidance, that rebuilding within a the original footprint does not require consultation under ESA provisions. Also it is important to note that areas affected by the hurricane, but outside of officially declared federal disaster areas, are encouraged to meet ESA compliance needs through the existing emergency consultation provisions of the ESA.

The National Historic Preservation Act: The attached guidance also includes some very helpful contact information to facilitate addressing questions and concerns as well as coordinating and complying with the National Historic Preservation Act. The guidance also reminds us of the provisions that provide an exemption for activities dealing with immediate rescue and salvage operations specifically conducted to preserve life and property from the provisions of section 106 of the NHPA.

Please share this information with your fellow environmental support personnel, as well as with those who are making decisions! The most effective work is done by teams that include those who plan and those who act.

We remain available to respond to inquiries from all levels regarding National Environmental Policy Act issues and concerns.

Regards,  
Horst Greczmiel  
Associate Director for NEPA Oversight  
Council on Environmental Quality

Attachment