

Unified Federal Review Process Newsletter



Issue 1

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Introducing the UFR Process

The Unified Federal Environmental and Historic Preservation Review Process (UFR Process) was established on July 29, 2014, by the execution of a Memorandum of Understanding (MOU) among eleven federal agencies involved in the environmental and historic preservation (EHP) reviews associated with disaster recovery assistance. The UFR Process focuses on the federal EHP requirements applicable to disaster recovery projects following a presidentially declared disaster under the Robert T. Stafford Disaster Relief and Assistance Act. Through the UFR Process, federal agencies that fund or permit disaster recovery projects and those that perform EHP reviews associated with the decision-making process will coordinate their independent EHP review processes leading to expedited decision making, which can result in faster delivery of assistance and implementation of recovery projects. The UFR Process recognizes the important role of tribes, state agencies, localities and the stakeholders working together with federal agencies to coordinate EHP reviews.

Over the next several years, the UFR Steering Group, comprised of the Advisory Council on Historic Preservation (ACHP), the Council on Environmental Quality (CEQ), the Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) will focus on implementing the UFR Process, reviewing the processes annually and updating it as necessary. This will include engaging stakeholders in the field, hosting webinars and attending conferences to educate federal, tribal, state and local partners in the UFR Process. Read below to see what agencies have done to implement the UFR Process.

About the UFR Newsletter

The UFR Newsletter will serve as outreach to multiple federal, tribal, state and local stakeholders as a way to showcase UFR Process efforts aimed at supporting communities affected by disaster. The newsletter will allow agencies to stay involved with efforts to create a UFR Process across the nation. If you would like to add an article to the newsletter, please email: federal-unified-review@fema.dhs.gov





UFR Process on the Ground

Colorado Interagency Disaster Unified Review Team

By Steve Hardegen, FEMA Regional Environmental Officer

In September 2013, heavy rains and catastrophic flooding affected many parts of central Colorado. FEMA's Environmental and Historic Preservation Office in Denver quickly recognized an opportunity to pilot a unified and interagency effort that would engage partners at the federal, state and local level in coordinating EHP reviews for disaster recovery projects. Once the incident was stabilized, FEMA established the Colorado Interagency Disaster Unified Review Team (DURT) with the purpose of allowing agencies to share EHP review information, leading to less duplication of effort, while maintaining responsible environmental stewardship. Some of the agencies represented in this interagency effort included FEMA, the Environmental Protection

Agency, US Fish and Wildlife Service, Department of the Interior, US Army Corps of Engineers, US Forest Service, US Department of Housing and Urban Development, Federal Highway Administration, Colorado Department of Transportation, US Department of Agriculture and the Colorado State Historic Preservation Office.

Over the last year, the DURT effort has produced a number of accomplishments including Programmatic Environmental Assessment (PEA) documents which are non-disaster specific and facilitate high-level National Environmental Policy Act (NEPA) review for multiple federal agencies funding similar projects. PEAs promote transparency of environmental compliance actions across federal and state agencies by bridging communication gaps between

agencies transitioning from response into long-term recovery.

The DURT Viewer is an information technology tool built to provide a secure utility for sharing geospatial data among DURT partners and allows partner agencies to share geospatial information that may be useful in assessing project impacts. Additionally, the DURT Viewer is being used to visually represent environmental and cultural resource compliance information, as well as comprehensively represent NEPA reviews that have been completed in a geographic area. The creation of the platform allows agencies to holistically view actions and share information in a disaster area, but it also allows agencies to identify opportunities to unify EHP reviews.

UFR Tools and Mechanisms Available Now!

The UFR Webpage, located at <https://www.fema.gov/unified-federal-environmental-and-historic-preservation-review-presidentially-declared-disasters>, contains all of the Tools and Mechanisms developed as part of the UFR Process, including:

- UFR Guidance for EHP Practitioners
- Disaster-Specific MOU
- Data Sharing Agreement Content (and instructions)
- Data Standards List
- Agency Point of Contact List (federal and state)
- EHP Disaster Recovery Skills Checklist
- IT Resources List
- Prototype Programmatic Agreement (PPA) for Section 106 of the National Historic Preservation Act
- Template Environmental Checklist for FEMA and HUD



Policy in Action

Hurricane Sandy

By Donna Defrancesco, FEMA Environmental Advisor

“It was critical that a unified environmental response and recovery effort support government entities and eligible nonprofits to recover from the storm’s devastation, while ensuring that communities reduced the impact that disasters and emergency management decisions and operations had on the state’s natural resources.”

New Jersey is home to over 130 miles of sandy beaches along the Atlantic Ocean. The coastal area, combined with five physiographic regions and the Pine Barrens, form a fragile web that supports a variety of sensitive and critical habitats for diverse and abundant wildlife, including many species that are federally threatened or endangered. When Hurricane Sandy made landfall on October 29, 2012, state and local governments were faced with significant and widespread damage to public infrastructure including hospitals, schools, waterways, parks, boardwalks, beaches, marinas, docks, water treatment plants and public buildings. The need for timely restoration and recovery of infrastructure, demolition and widespread debris removal often coincided with particularly important time periods in the state’s wildlife ecology. For example, the Delaware Bayshore is the most important stop on a 20,000 mile migration for the red knot shorebird, which doubles its body weight by feeding on horseshoe crab eggs for a 2-3 week period in May and June. It was critical that a unified environmental response and recovery effort support recovery from the storm’s devastation while ensuring that communities reduced the impact that disasters, emergency management decisions and operations had on the state’s natural resources.

One example from this effort was a coordinated review of impacts to the

state’s critical habitat and threatened and endangered species (including piping plover, seabeach amaranth and red knot). Section 7(a) of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq., as amended; ESA) directs all federal agencies to conserve species listed as threatened or endangered. Federal agencies, such as FEMA, in consultation with National Marine Fisheries Service and the US Fish and Wildlife Service (Services), must ensure that their federally funded actions will not jeopardize the continued existence of any ESA-listed species. While this review and consultation can be a lengthy process, environmental staff from FEMA, the US Fish and Wildlife Service – NJ Ecological Field Office and the State of NJ Department of Environmental Protection (NJDEP), in the spirit of the UFR, worked collaboratively to develop a programmatic consultation for endangered and threatened species that facilitated environmentally sound decisions in a timely, reliable and cost effective way.

In the process, 57 potential FEMA project actions were identified from a review of previous FEMA hurricane recovery missions. These 57 potential disaster recovery project types were evaluated for the potential to impact the 14 endangered or threatened species in New Jersey as well as bald eagles and migratory birds in a matrix. The

purpose of this programmatic consultation was to provide criteria that would allow FEMA to determine whether a project(s) may have an effect on listed species or critical habitat. Projects satisfying the “No Effect” criteria would not require further review under the ESA by the Services. For projects having a “May Affect, not



A programmatic consultation for ESA reviews allowed for environmentally sound decisions in a timely, reliable and cost effective way.

likely to Adversely Affect” determination if predesignated criteria for the project actions were met, advance concurrence would be provided by the Services.

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Implementation of the effort on a large scale required extensive data sharing between FEMA and the Services. In the process, FEMA used the Services and the NJDEP's ESA Locality List, the Services' Information, Planning and Conservation System (IPaC) and GIS data layers to determine the potential species/habitat that could be present within the affected area of a project. FEMA then used the programmatic consultation matrix to find the effect determination for those species for each project action. The predesignated conditions were then assigned to the project so that the project would be "Not Likely to Adversely Affect" the species. The development of the programmatic ESA consultation matrix took about 90 days from inception to completion, including joint meetings and receipt of the Services' final concurrence. The matrix provided over 825 "Not Likely to Adversely Affect" determinations for disaster recovery project-species interactions. The speed by which this effort was completed was a direct result of the cooperation and quick response of the Services, and the

diligence, rapid response and attention to detail of the FEMA EHP team at all levels.

To date, FEMA has funded more than 5,185 Public Assistance (PA) projects for infrastructure restoration and recovery and 1,630 Hazard Mitigation Assistance (HMA) project sites. The use of the programmatic consultation matrix streamlined the review process, so that additional individual ESA consultation was needed on only 80 PA projects (1.5% of total projects) and 15 HMA projects. This allowed FEMA EHP staff and the Services' biologists to focus their energies on a small number of projects that had the greatest potential to affect species and their habitat. The use of the matrix in conjunction with the Services' Locality List and GIS layers ensured response and recovery assistance could be delivered to communities in a timely manner.

UFR Implementation Priorities

During this implementation year, UFR efforts will focus on several key priorities: developing and facilitating Joint Field Office and headquarters UFR workshops; developing UFR performance metrics and a pilot plan for implementation; implementing the UFR Advisor (includes development of UFR Advisor Concept of Operations & Standard Operating Procedures); finalizing the EHP Guidance for Federal Disaster Recovery Assistance Applicants; developing training courses for UFR Advisor and federal disaster recovery leadership; and developing UFR presentation materials.



Message from the UFR Team

Welcome to the inaugural issue of the UFR Process Newsletter! This past year we laid the foundation for establishing an effective and efficient UFR Process. This coming year will focus on implementing many of the UFR Tools and Mechanisms that have been developed and it is vitally important that we continue to hear from you, our agency partners and stakeholders, to ensure this UFR effort is a success! Please contact any of the UFR Team members with ideas for future issues or questions you might have.

