

# PRACTITIONER

Unified Federal Review Briefing Package

## UNIFIED FEDERAL REVIEW PROCESS OVERVIEW AND GOALS

The Unified Federal Review (UFR) Process is an improved approach for the federal environmental and historic preservation (EHP) reviews associated with disaster recovery projects that provides federal agencies with opportunities to expedite EHP reviews through enhanced coordination for Presidentially-declared disasters. The UFR Process promotes the use of best practices and provides tools designed to address gaps in EHP review processes, increase consistency, and leverage existing resources to create process efficiencies. Through this enhanced coordination, the UFR Process can improve the Federal Government's assistance to state, local, and tribal governments; communities; and families and individual citizens as they recover from future disasters.

*This Briefing Package is for EHP practitioners at both funding agencies, who are responsible for ensuring applicants' proposed projects comply with EHP requirements, and at resource/regulatory agencies, who consult, permit, or approve applicants' proposed projects. This document is also for U.S. Housing and Urban Development (HUD) responsible entities under the Community Development Block Grant Disaster Recovery Program. Although terminology varies among agencies, herein EHP requirements include laws, regulations, and Executive Orders that protect water, air, coastal, wildlife, land, agricultural, historic, and cultural resources as well as minimize disproportionate adverse effects on low-income and minority populations, as well as other disaster vulnerable populations, thereby protecting human health.*

### THE UFR PROCESS DOES:

- Expedite and unify EHP review processes, reducing duplication of effort for applicants and facilitating joint reviews by agencies
- Enhance working relationships by creating opportunities for greater coordination across agencies
- Establish a common issue resolution procedure
- Leverage existing agreements and use new Tools and Mechanisms

### THE UFR PROCESS DOES NOT:

- Establish a single review process for agencies funding a single project
- Circumvent or supersede any existing federal, tribal, state, or local EHP requirements
- Eliminate requirements for consultations among agencies or between agencies and applicants
- Change existing interagency agreements



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## UFR PROCESS ESTABLISHMENT

The Sandy Recovery Improvement Act of 2013 (SRIA) amended the Stafford Act, directing the President, in consultation with the Department of Homeland Security, Federal Emergency Management Agency, Council on Environmental Quality, and Advisory Council on Historic Preservation, to “establish an expedited and unified interagency review process to ensure compliance with environmental and historic requirements under federal law relating to disaster recovery projects, in order to expedite the recovery process, consistent with applicable law.” An interagency Memorandum of Understanding (MOU) was executed by eleven departments and agencies (*seals depicted below*) on July 29, 2014, which committed them to support the UFR Process.



**“Consistent with existing authorities, this MOU enhances the working relationships of the Parties by reflecting newly focused executive commitments to utilize existing and new tools to expedite and unify the process for completing environmental and historic preservation reviews required for Disaster Recovery Projects while maintaining the technical rigor and public participation associated with those reviews.”**

## UFR MOU COMMITMENTS

The UFR process was created through a collaborative effort resulting in an MOU defining agency roles and responsibilities. As a signatory agency, your leadership has strengthened interagency coordination through commitments to:

- Provide staffing and resources to support the UFR Process
- Distribute and use the UFR Tools and Mechanisms
- Document lessons learned
- Provide training to staff
- Use the established issue elevation process to quickly resolve any issues or disputes that arise during the EHP review of a disaster recovery project, as appropriate



Oglala Sioux Tribal Leadership and FEMA dignitaries commemorate Federal Tribal Agreement signing (photo credit FEMA/Christopher Mardorf)

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### UFR PROCESS IMPLEMENTATION AND BENEFITS

The Tools and Mechanisms of the UFR Process are a set of products and procedures that enhance interagency coordination on EHP reviews. The Tools and Mechanisms clarify agency roles and responsibilities; educate EHP practitioners and disaster recovery applicants; expedite decision making; and increase collaboration, communication, data sharing, and transparency among agencies. UFR Process improvements result in improved outcomes for communities and natural, cultural, and historic resources when federal funds and permits are used for disaster recovery projects. The UFR Process integrates with the National Disaster Recovery Framework, complementing its goals and aligning with its structure, to restore, redevelop, and revitalize the health, social, economic, natural, and environmental fabric of the community and build a more resilient nation.

### THE UFR PROCESS ADDS VALUE BY

- Providing federal decision makers with tools that allow for more timely and integrated processes, resulting in better outcomes for communities and the environment when federal funds and permits are used for disaster recovery projects
- Creating opportunities for better coordination across agencies to expedite EHP requirements
- Reducing duplication of information provided by applicants working with multiple agencies
- Leveraging existing and developing new interagency agreements
- Aligning review processes and preparing joint reviews with other agencies to satisfy one or more EHP requirements

### UFR PROCESS EFFICIENCIES

An example of a process efficiency made available as part of the UFR is the FEMA Prototype Programmatic Agreement (PPA) for **Section 106** of the National Historic Preservation Act (NHPA). The PPA allows FEMA to fulfill its Section 106 compliance responsibilities in states where it is executed; however, it also allows other federal agencies to utilize the PPA to satisfy their Section 106 responsibilities for response and recovery activities when appropriate. In allowing the other agencies to utilize the PPA for their compliance responsibilities, agencies are able to leverage existing reviews, allowing communities to rebuild more quickly.

### TOOLS AND MECHANISMS OF THE UNIFIED FEDERAL REVIEW PROCESS

UFR Webpage	MOU Establishing the UFR Process
EHP Agency Point of Contact (POC) List	UFR Guidance for EHP Practitioners
Information Technology Resources List	FEMA PPA for Section 106 of the NHPA
EHP Disaster Recovery Skills Checklist	Template Disaster-Specific MOU
UFR Applicant Guide	Data Sharing Agreement Content
UFR Advisor and Leadership Training	Data Standards List
Template Environmental Checklist for FEMA and Housing and Urban Development	

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### PRACTITIONER RESPONSIBILITIES

Continued interagency involvement in the UFR Process is crucial to fulfilling our commitments to expedite the EHP review process, reduce duplication of work by applicants and federal agencies, and enhance communication across and within agencies. EHP practitioners play a critical role by engaging in and supporting the implementation of the UFR Process and conducting the on-the-ground relationship building and use of the Tools and Mechanisms that these efforts rely upon. By coordinating and communicating with other agencies and applicants, EHP practitioners help pave the way for better outcomes for disaster-affected communities and the environment.

### THE UFR ADVISOR AND REGIONAL UFR COORDINATOR

The UFR Advisor and Regional UFR Coordinator are the field positions with the primary function of supporting and implementing the UFR Process during disaster recovery and steady state operations, respectively. The UFR Advisor is typically, but not always, a FEMA staff member; the Regional UFR Coordinator is a FEMA position. During disaster recovery, the UFR Advisor will, as appropriate:

- Encourage EHP practitioners to build interagency relationships and pre-position resources and analyses in advance of EHP compliance
- Advise EHP practitioners on the implementation of the UFR Process
- Encourage EHP practitioners to leverage existing analyses, permits, agreements, and tools to expedite reviews

### SUPPORTING THE UFR PROCESS AS AN EHP PRACTITIONER

The UFR Process uses existing EHP requirements and best practices to change the way EHP Practitioners conduct EHP reviews for proposed disaster recovery projects. EHP Practitioners implement the UFR Process through the Tools and Mechanisms throughout the phases of disaster recovery. The following page summarizes EHP Practitioner activities to implement the UFR Process—more detail is available in the Practitioner Guidance.

The UFR Process is most successful when *early engagement and coordination occurs among federal agencies, tribal, state, and local partners.*

### FOR MORE INFORMATION

#### Contact the UFR Team:

[federal-unified-review@fema.dhs.gov](mailto:federal-unified-review@fema.dhs.gov)

#### Visit the UFR Webpage:

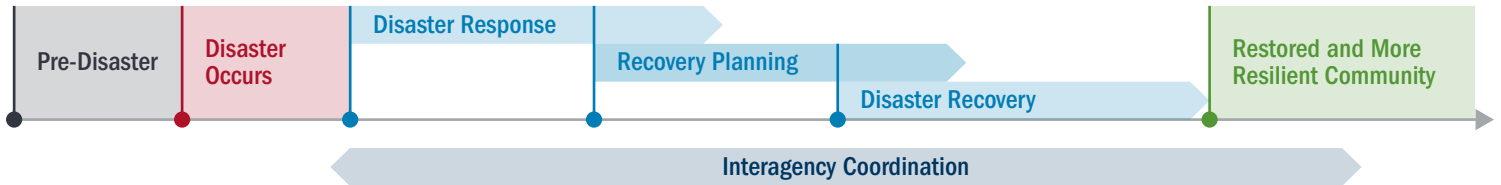
[www.fema.gov/unified-federal-environmental-and-historic-preservation-review-presidentially-declared-disasters](http://www.fema.gov/unified-federal-environmental-and-historic-preservation-review-presidentially-declared-disasters)

#### Browse the UFR Library:

[www.fema.gov/media-library/assets/documents/98911](http://www.fema.gov/media-library/assets/documents/98911)

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## PRE-DISASTER

### Preparing for EHP Review

- Identify other funding and resource agencies in your region with which to build relationships to better understand one another's programs and EHP review processes
- Coordinate with agencies to identify EHP information that should be shared
- Review existing interagency agreements and determine if they still satisfy needs
- Develop and implement interagency agreements for EHP requirements
- Consider preparing programmatic NEPA analyses ahead of a disaster, such as maintaining data and information regarding existing (*pre-disaster*) conditions
- Develop procedures for taking historic properties into account for emergencies and disaster response and recovery activities

## RECOVERY PLANNING

### Engaging Applicants and HUD Grantees

Actively work with applicants to:

- Identify potential consulting parties, cooperating Agencies, and interested stakeholders
- Identify natural and cultural resources potentially affected or impacted by the proposed recovery project and work to integrate EHP considerations into the project
- Consider the potential significant adverse impacts as proposed recovery projects are developed and designed, in advance of the formal start of NEPA and NHPA processes

Use Kickoff Meetings to communicate relevant EHP information to Applicants.

## DISASTER RECOVERY

### Initiating EHP Review

Engage early and frequently with federal, tribal, state, and local organizations including HUD responsible entities, State Historic Preservations Officers, Native Hawaiian Organizations, and other stakeholders, such as the public and vulnerable, overburdened populations to integrate their considerations into project planning.

Address resource needs for EHP reviews by:

- Identifying existing and needed staff, funds, and technical assistance
- Considering how to share resources among agencies
- Considering how to avoid duplication of reviews

### Conducting EHP Review

- Use the IT Resources List, Agency Points of Contact List, Data Sharing Agreement Content, and Data Standards List to gather and review EHP information
- Use the UFR MOU to quickly resolve disputes with other agencies and determine agency responsibilities
- Use a Disaster-Specific MOU to solidify commitments among funding and resource/regulatory agencies; coordinate with other agencies for disaster-specific purposes; and prioritize the use of federal funding for disaster recovery