



FEMA

Tribal Participation in Oregon NFIP-ESA Integration

January 2020 webinar series



Your Project Partners

- **Erin Cooper**, FEMA NFIP & ESA Specialist
- **John Graves**, FEMA Floodplain Mgmt. & Insurance Branch Chief
- **Jay LaPlante**, FEMA Tribal Affairs
- **Erin Ward**, FEMA Tribal Affairs
- **Bonnie Shorin**, NOAA Fisheries
- **Zach Hughes**, Salus Resources
- **Sara O'Brien**, Willamette Partnership
- **Emily Irish**, Willamette Partnership
- **Celinda Adair**, Oregon DLCD

The Endangered Species Act (ESA)

Purpose:

To protect and recover imperiled species and the ecosystems on which they depend

ESA lead federal agencies:

NOAA National Marine Fisheries Service (NOAA Fisheries)
US Fish & Wildlife Service (USFWS)

Consultation

ESA Section 7: Federal agencies are required, in consultation with USFWS or NMFS, to ensure that the actions they authorize, fund or carry out are NOT likely to:

- **jeopardize** the continued existence of a listed species, *or*
- **result in the destruction or adverse modification of designated critical habitat of such species.**

Consultation Products

BO/Bi-Op:

Biological Opinion document reviewing the proposed actions of the NFIP issued by NOAA Fisheries

RPA:

Reasonable and Prudent Alternative issued by NOAA Fisheries with a Jeopardy opinion, describes actions necessary to achieve ESA compliance

Overarching Concepts

- **Floodplains include salmon habitat**
(critical food source for Southern Resident Killer Whales)
- **Built environment vs. natural environment**
- **What's good for fish is generally good for us, too**



NOAA Fisheries

How We Got Here

BiOp Timeline

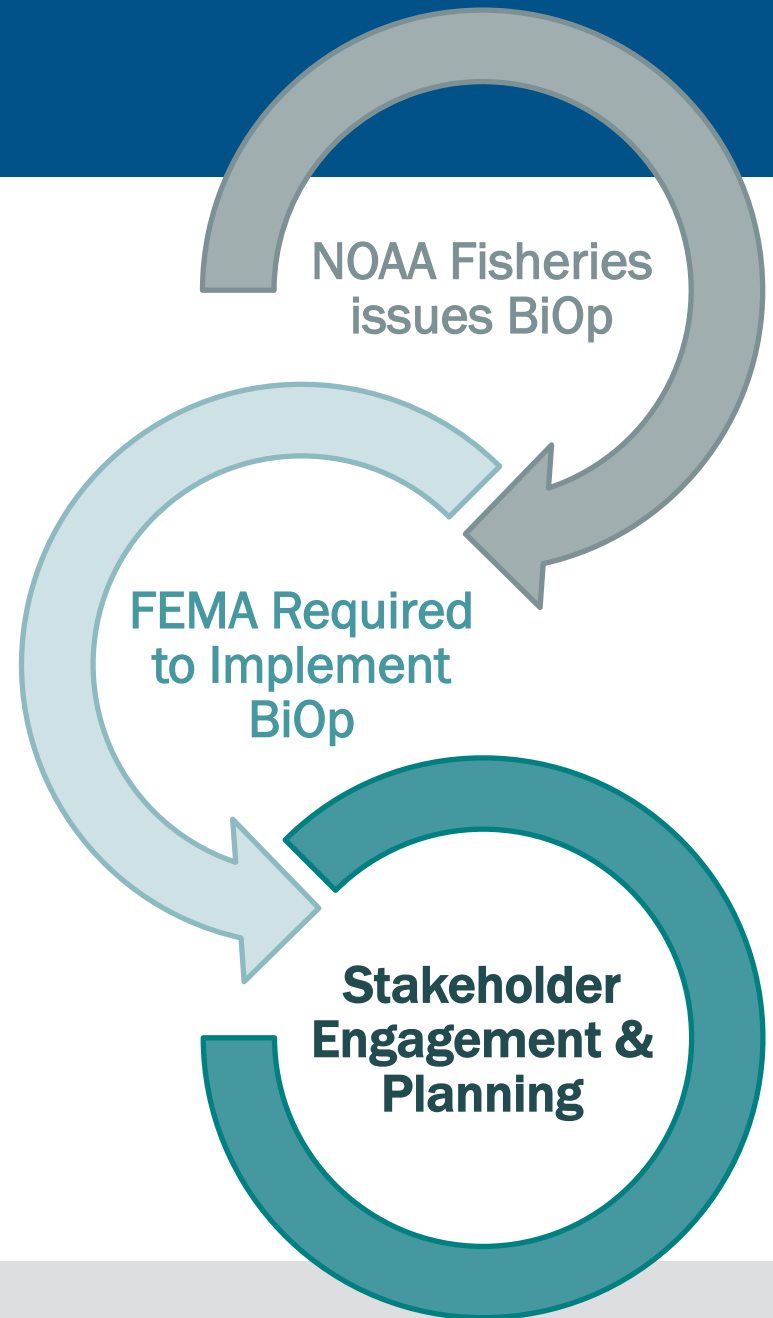
2009	Lawsuit for failure to consult (Natl. Wildlife Federation)
2011	FEMA requested consultation with NOAA Fisheries
2012 - 2016	Formal consultation & negotiations between FEMA & NOAA Fisheries
April 14, 2016	Oregon Biological Opinion issued with Jeopardy determination and Reasonable & Prudent Alternative (RPA)
2016 - 2017	Initial implementation planning effort – FEMA & DLCD
2018	3-year delay of RPA implementation (Disaster Recovery Reform Act)
2019 - Now	Revised implementation planning effort underway

Collaborative, Revised Approach

- Early efforts made progress and identified concerns
- Communities urged FEMA to consider implementing the BiOp all at once, rather than a phase approach
- 2018 Disaster Recovery Reform Act (DRRA) required a 3-year delay on RPA implementation
- **Extra time allowed FEMA to consider a new approach**
- Extension ends in October 2021

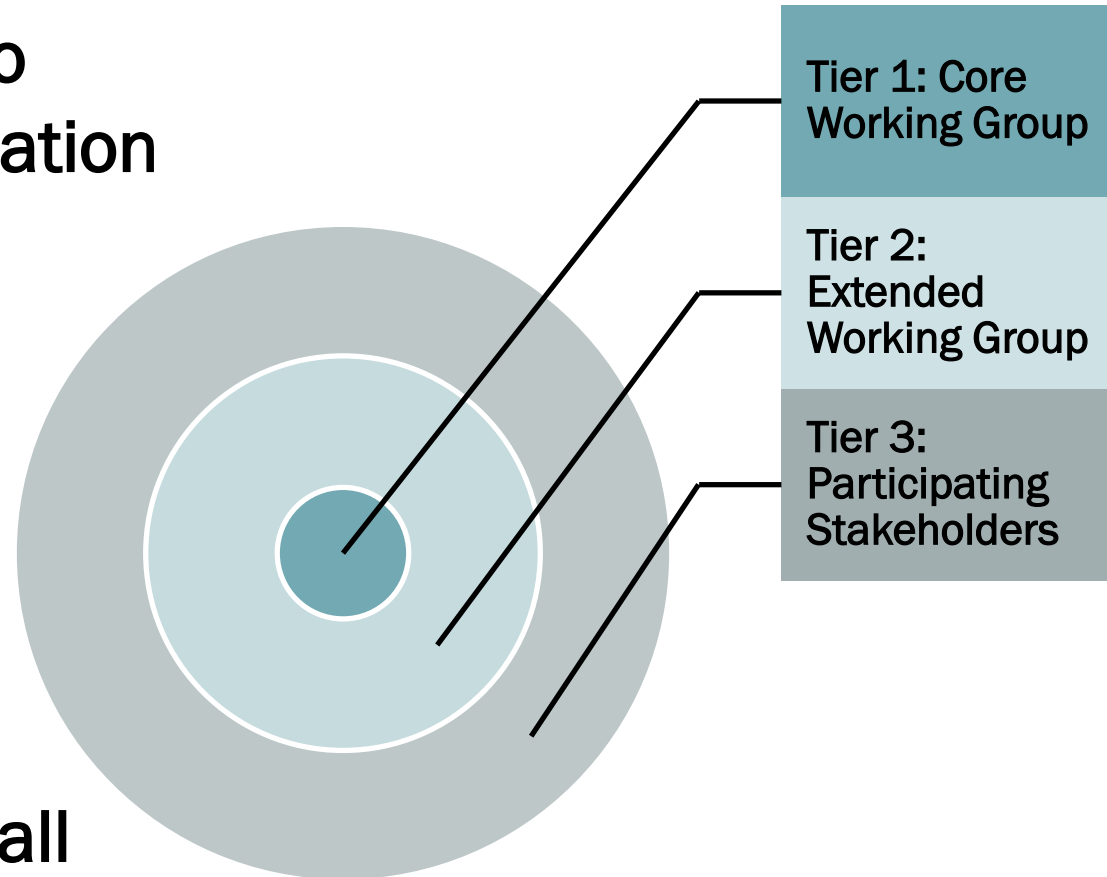
Project Summary

- NFIP impacts on **ESA-listed anadromous fish & Southern Resident Killer Whales**
- FEMA required to develop an Implementation Plan in response to the BiOp
- Must be consistent with ESA Section 7 requirements
- Seeking input from stakeholders



Establishing a Working Group

- Tiered engagement to allow greater participation
- Open forum for communities to engage
- Assist FEMA in developing an Implementation Plan that is acceptable to all



Working Group Timeline (draft)

Month (2020)	Events	Anticipated Outcomes
January	Core team work session	Prepare for first workshop
February	Working group & stakeholder workshop	Core team acknowledges past effort, outlines new process; working group provides input on new approach
March	Core team work session	Outline viable routes to implementation
April	Working group & stakeholder workshop	Core team presents routes to implementation, receives feedback
May	Core team work session	Use feedback to develop draft Plan
June	Core team work session	Further develop Plan & other resources
July	Working group & stakeholder workshop	Core team presents on progress, seeks feedback for process going forward
August – Sept.	Core team work sessions	Finalize Implementation Plan based on working group guidance

Website Resources

Implementation of the Oregon NFIP

Main Page

FEMA Home

NMFS Home

Oregon NFIP Implementation

This is the landing page for the stakeholder participants for the development of the implementation strategy for FEMA's upcoming revisions to the National Flood Insurance Program in Oregon.

Go to:

oregonnfip.org

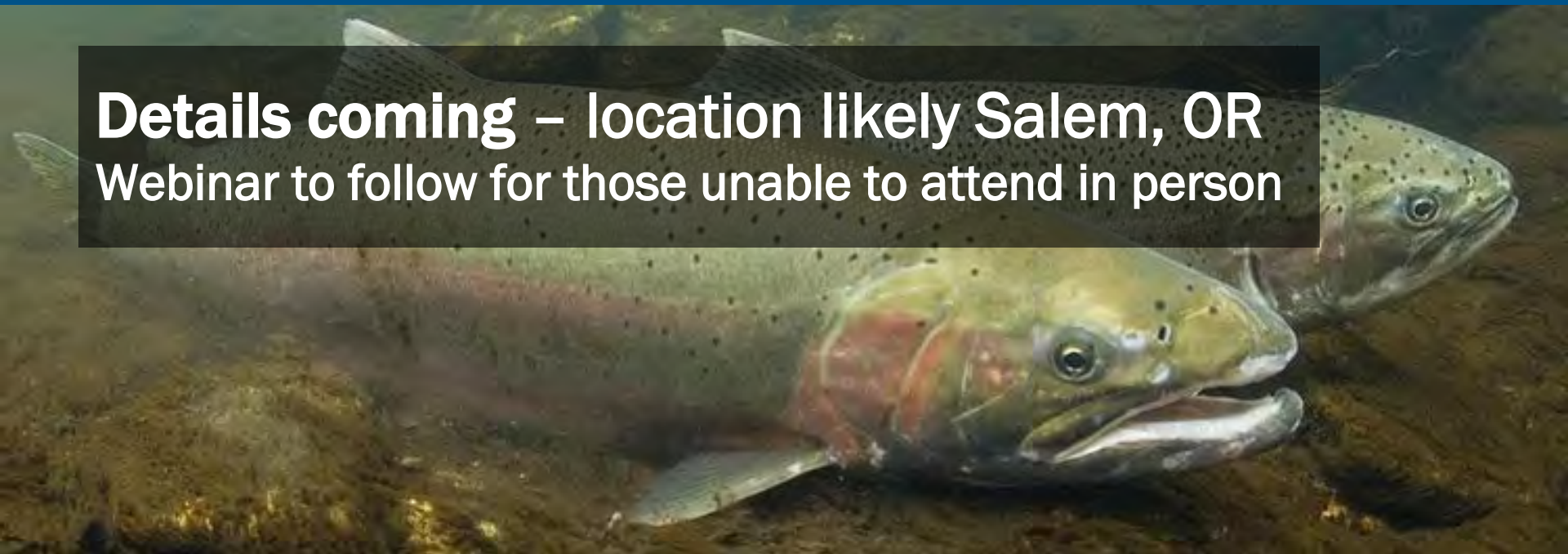
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FEMA

First Stakeholder Meeting: February 21

Details coming – location likely Salem, OR
Webinar to follow for those unable to attend in person



Recap

- FEMA is required to integrate ESA considerations into National Flood Insurance Program performance standards for Oregon-based tribes and local communities
- FEMA is launching a new effort to develop an Implementation Plan that will help participating communities meet these requirements
- You can join our working group! *Contact Erin if interested!*
→ erin.cooper@fema.dhs.gov
- **The first stakeholder meeting will be held on February 21st – details to come**

Questions?

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