

# Unified Federal Review Process



## Unified Federal Environmental and Historic Preservation Review: Fact Sheet for FEMA Hazard Mitigation Assistance

*Natural resources, cultural institutions and historic properties define communities and contribute to their well-being and unique character. The federal government plays a critical role in helping communities incorporate environmental stewardship and historic preservation into emergency management decisions. As disasters continue to challenge our nation and communities grapple with issues of preparedness and sustainability, federal agencies are working together with tribal, state and local agencies to continually improve upon the processes that are currently in place in order to support the needs of affected communities.*

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### Environmental and Historic Preservation Review

Whenever federal funding is allocated for a disaster assistance project, the project must be reviewed for compliance with environmental and historic preservation (EHP) laws, regulations and executive orders. These are known as EHP requirements and are aimed at protecting water, air, coastal, wildlife, land, agricultural, historical and cultural resources, as well as minimizing the potential for disproportionately adverse effects to low-income and minority populations.

When federal agencies review applications for assistance, they must ensure compliance with EHP requirements before they can approve or deny federal assistance and permits for the disaster recovery project. These EHP reviews are performed by either an EHP practitioner or responsible entity, depending upon the federal agency from which an applicant is seeking funding.

In addition to the risk of federal prosecution and civil lawsuits, failure to comply with applicable EHP requirements may jeopardize project funding, so it is important that the applicant and grantee understand these requirements. An EHP review must be completed before permits can be issued and funding released.

### The Unified Federal Environmental and Historic Preservation Review Process

The Unified Federal Environmental and Historic Preservation Review Process (UFR Process) was established on July 29, 2014, by eleven federal departments and agencies entering into the Memorandum of Understanding Establishing the UFR Process. The UFR Process focuses on the federal EHP requirements applicable to disaster recovery projects following a presidentially declared disaster under the Stafford Act. Through the UFR Process, federal agencies that fund or permit disaster recovery projects and those that perform EHP reviews associated with those projects will coordinate their independent review processes leading to expedited decision making which can result in efficient delivery of assistance and implementation of recovery projects. The UFR Process does not change EHP requirements under existing federal law.

The UFR Process consists of a set of Tools and Mechanisms that can be utilized to expedite and unify the EHP review of disaster assistance projects. The UFR Process was intentionally designed to be an adaptive and flexible process that can be modified to meet the needs of a specific disaster, the community affected by the disaster and to incorporate hazard mitigation assistance in order to strengthen communities from future disasters. For more information on the Tools and Mechanisms, please visit the UFR Webpage (the link is provided at the bottom of this page).

For more information on the UFR Process, please visit the UFR Webpage at: <http://www.fema.gov/environmental-historic-preservation/unified-federal-environmental-and-historic-preservation-review>

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In addition to Tools and Mechanisms, the UFR Process integrates with the National Disaster Recovery Framework (NDRF)<sup>1</sup>, complementing its goals and utilizing its organizational structure to implement the UFR Process by establishing a new position, the UFR advisor. The UFR advisor serves as a liaison between federal agencies and also helps identify and implement the use of the appropriate specific Tools and Mechanisms. The FEMA EHP advisor and/or FEMA regional environmental officer will be the lead in coordinating the UFR Process of interagency EHP compliance when the NDRF is not activated at a disaster and when UFR Process applies to Hazard Mitigation grants that may develop much later than immediately following the initial disaster declaration.

While the UFR Process is required to establish efficiencies for EHP reviews for presidentially declared disasters, it is the intent of the UFR Steering Group that the UFR Process, including Tools and Mechanisms, will be applicable to other disaster situations that are not covered under the Stafford Act. The UFR Process could be applied to Hazard Mitigation Grant Program (HMGP) projects outside of the declared disaster area, or could even apply to non-disaster mitigation funding such as Flood Mitigation Assistance and Pre-Disaster Mitigation grants.

The UFR Process supports and is consistent with the Sandy Recovery Improvement Act of 2013 (SRIA) provision that applies directly to Hazard Mitigation (Section 1104), which states "...the President shall ensure that - (A) adequate resources are devoted to ensure that applicable environmental reviews under the National Environmental Policy Act of 1969 and historic preservation reviews under the National Historic Preservation Act are completed on an expeditious basis; and (B) the shortest existing applicable process under the National Environmental Policy Act of 1969 and the National Historic Preservation Act is utilized."

## How Hazard Mitigation Assistance (HMA) Can Support the UFR Process

### *Early coordination with EHP and the UFR Process*

Given the SRIA directive to streamline and expedite the EHP review of disaster recovery projects, it is imperative that EHP staff become engaged with HMA staff early on during the application period for HMA. HMA applications may be submitted soon after the disaster declaration and can be worked within the Joint Field Office (JFO) setting. These early applications are inherently part of the UFR Process because FEMA EHP and Mitigation staff are available at the JFO to support communication between federal agencies involved in disaster response to help coordinate EHP reviews. It is also imperative that mitigation staff work with their state counterparts, state hazard mitigation officers, to determine whether any sub-applicants intend to utilize funding from multiple federal agencies for a proposed project. The sub-applicant may rely on one agency for the bulk of funding and another agency to provide cost-share or match on the same grant project.

### *Project Documentation*

Ensuring that project applications have all applicable and necessary information needed for EHP review is crucial in order to expedite EHP reviews in a timely manner. Please refer to Appendix D: Project Information Request Checklist of the "Environmental and Historic Preservation Guidance for Federal Disaster Recovery Assistance Applicants," for information that EHP will need to complete a review. See the link below for the UFR Webpage for additional information on the UFR Process.

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<sup>1</sup> For more information on the NDRF please visit: <http://www.fema.gov/national-disaster-recovery-framework>