

Unified Federal Review Process



Unified Federal Environmental and Historic Preservation Review:

Fact Sheet for FEMA Public 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.

Environmental and Historic Preservation Review

Whenever federal funding is allocated for a disaster recovery 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. These requirements 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 an EHP practitioner, 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 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 (UFR MOU). 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.

A Steering Group consisting of the Advisory Council on Historic Preservation, the Council on Environmental Quality, the Department of Homeland Security and the Federal Emergency Management Agency have led the development of the UFR Process with the support of a working group. The working group encompasses a broader group of federal agencies that have various roles in disaster recovery and EHP expertise to assist in developing a unified framework for EHP reviews for disaster recovery projects.

The UFR Process consists of a set of Tools and Mechanisms that can be utilized throughout disaster recovery to expedite and unify the EHP review of disaster recovery projects. The UFR Process was

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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intentionally designed to be an adaptive and flexible process that can be modified to meet the needs of the specific disaster and the community affected by the disaster.

In addition to Tools and Mechanisms, the UFR Process established an improved coordination framework for EHP reviews and a new position, the UFR advisor, when needed. The UFR advisor may be a FEMA employee or an employee from one of the other federal agencies under the Natural and Cultural Resources Recovery Support Function (NCR RSF) of the National Disaster Recovery Framework (NDRF). The UFR advisor serves as a liaison between federal agencies and also helps identify and implement the use of the appropriate disaster-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 the UFR advisor is not deployed. The UFR Process will be able to expedite disaster recovery for communities by improving coordination timelines for EHP reviews and thus accelerate federal assistance to applicants and communities.

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. Application of the UFR Process could also apply to Hazard Management Grant Program projects outside of the declared disaster area and could even apply to non-disaster mitigation funding such as Flood Mitigation Assistance and Pre-Disaster Mitigation grants.

5 Elements of the UFR Process

- Formalizing the unification and standardization of EHP requirements.
- Developing standards and guidance for EHP practitioners to unify the federal review process.
- Developing interagency agreements that formalize roles, responsibilities and commitments of the UFR Process.
- Providing one stop source for EHP information and resources.
- Supporting the continued development of the NCR RSF as part of the NDRF.

How Public Assistance Can Support EHP and the UFR Process

Early coordination with FEMA's Office of Environmental and Historic Preservation Planning (OEHP) and the applicant

OEHP participation in kickoff meetings, applicant briefings and site visits are perfect opportunities to provide the applicants with information on EHP reviews and the UFR Process and can potentially open the door for discussions on identifying other federal funding sources and federal agencies that OEHP may need to coordinate with. There may be instances where OEHP will not be able to attend a kickoff meeting. In those cases, OEHP will rely on FEMA Public Assistance and state agencies to deliver information on EHP reviews and the UFR Process. In addition, working closely with state counterparts such as state hazard mitigation officers and FEMA Hazard Mitigation Assistance staff is important in order to identify during the lifecycle of a project that an applicant is receiving additional federal funds for projects that may share FEMA funding.

Project Documentation

Ensuring that project worksheets 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" (found on the UFR Webpage link below) for information that FEMA OEHP will need in order to complete a review. This is not a comprehensive list and additional information may be needed depending on the scope of the project and the necessary level of EHP review.

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