

# ESA and the National Flood Insurance Program

## Permissible Actions in the Special Flood Hazard Area



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Implementing a Salmon Friendly Program– FEMA Region 10  
Regional Workshop- Habitat Assessment and Mitigation

# Development

■ Insert Definition of Development



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# Non-Development Activities

## ■ No Floodplain Development Permit or Habitat Assessment Required

- **Maintenance of landscaping that does not involve grading, excavation, or filling;**
- **Removal of noxious weeds and hazard trees and replacement of non-native vegetation with native vegetation;**
- **Normal maintenance of above ground utilities and facilities, such as replacing downed power lines and utility poles;**
- **Normal street and road maintenance, including filling potholes, repaving, and installing signs and traffic signals, but not including expansion of paved areas.**



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# Non-Development Activities

## ■ No Floodplain Development Permit or Habitat Assessment Required

- Normal maintenance of a levee or other flood control facility prescribed in the operations and maintenance plan for the levee or flood control facility are allowed in the Regulatory Floodplain without need for a floodplain development permit (maintaining the original prism).
- Plowing and other normal farm practices (other than structures or filling) on farms in the Regulatory Floodplain already in existence do not require a floodplain development permit.



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# Development Activities

- Floodplain Development Permit is Required, no Habitat Assessment is required for these activities
  - Repairs or remodeling of an existing structure, provided that the repairs or remodeling are not a substantial improvement or a repair of substantial damage.
  - Expansion of an existing structure that is no greater than ten percent beyond its existing footprint, provided that the repairs or remodeling are not a substantial improvement or a repair of substantial damage.
  - Activities with the sole purpose of creating, restoring or enhancing natural functions associated with floodplains, streams, lakes, estuaries, marine areas, habitat, and riparian areas that meet Federal and State standards, provided the activities do not include structures, grading, fill, or impervious surfaces.



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# Development Activities

- Floodplain Development Permit is Required, no Habitat Assessment is required for these activities
  - Development of open space and recreational facilities, such as parks, trails, and hunting grounds, that do not include structures, fill, impervious surfaces or removal of more than 5% of the native vegetation on that portion of the property in the Regulatory Floodplain.
  - Repair to onsite Septic Systems provided the ground disturbance is the minimal necessary.
  - Projects that have already received concurrence under another consultation with the services either through Section 7, Section 4d, or Section 10 of the ESA.

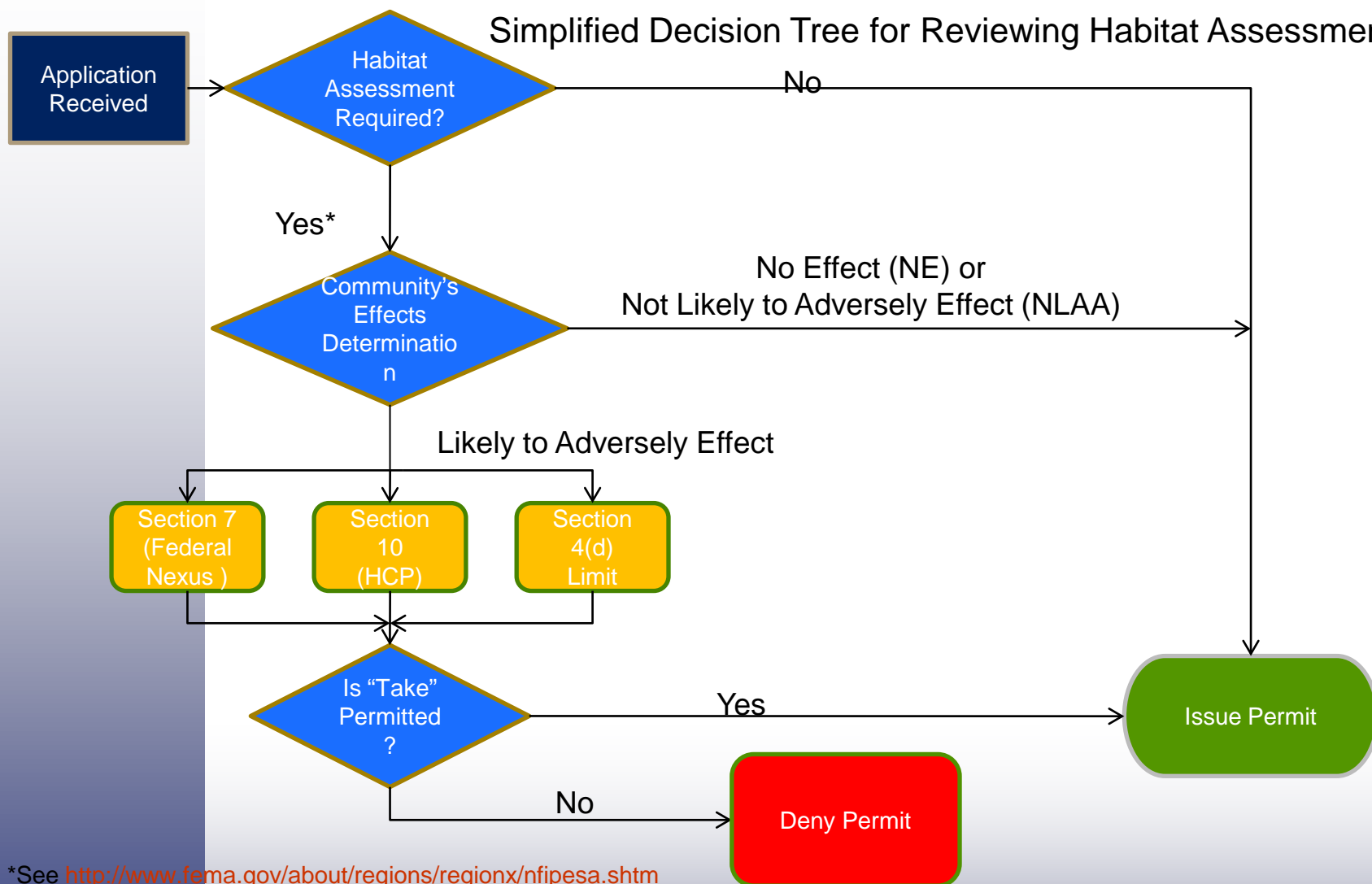


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## Simplified Decision Tree for Reviewing Habitat Assessments



\*See <http://www.fema.gov/about/regions/regionx/nfipesa.shtm>  
for the latest guidance from FEMA on conducting Habitat Assessments



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