



FEMA

IN REPLY REFER TO:

FEMA-3591-EM-CA - California Severe Winter Storms, Flooding, and Mudslides.

January 13, 2023

Michael Fris
Field Supervisor
Sacramento Fish and Wildlife Office
U.S. Fish and Wildlife Service
2800 Cottage Way
Sacramento, CA 95825-1846
Attn: Michael Fris

Re: Notification of Emergency Consultation Under Section 7 of the Endangered Species Act regarding FEMA-3591-EM-CA - California Severe Winter Storms, Flooding, and Mudslides.

Dear Mr. Fris:

In accordance with Section 7 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations 50 CFR Part 402, FEMA is initiating emergency consultation with USFWS on FEMA's proposed actions to reimburse eligible applicants (grantees and/or subrecipients) for eligible costs for emergency work performed in response to FEMA-3591-EM-CA severe winter storms, flooding, and mudslides that occurred between January 8 and continuing. Strong Atmospheric River conditions bringing strong winds, heavy rain, scattered thunderstorms, and increased impacts to much of California remain. Among other risks, this brings threats to burn scars and other areas sensitive to heavy rainfall and rising rivers (many have not crested). As to specific affected areas of the state, additional counties continue to be added as impacts become visible; the most current information can be found here; [3591 | FEMA.gov](https://www.fema.gov/3591).

Emergency actions that FEMA is anticipating include (but are not limited to) actions to avoid or minimize imminent loss of life or property, life-saving storm response operations, community needs for survivor assistance, local/Tribal government assistance, mutual aid, Emergency Protective Measures, Debris Clearance, and identifying recovery needs and long-term assistance programs. FEMA anticipates that this emergency declaration could lead to a disaster recovery operation and will amend this emergency consultation to include this contingency as information becomes available:

1) Debris removal, including the clearance of:

- trees and woody debris;
- building components or contents;

- sand, mud, silt, and gravel;
- waterway debris;
- wreckage produced during conduct of emergency protective measures; and
- other disaster-related wreckage.

2) Emergency protective measures, including

- search and rescue;
- demolition and removal of damaged public and private buildings or structures that pose an immediate threat to the safety of the general public;
- removal of health and safety hazards
- pumping of trapped floodwaters that threaten improved property,
- mosquito abatement when there is a serious health hazard;
- construction of emergency protective measures to protect lives or improved property such as temporary levees, berms, dikes, and sandbagging by itself or on top of a levee,
- buttressing, bracing, or shoring of a damaged structure to protect against further damage to the structure or to protect the general public,
- emergency repairs to protective facilities,
- restoration of access, including repairs to driveways, roads, culverts or bridges.

The proposed emergency protective measures may include the activities listed above, but those activities may also be modified based on the needs of the response operation. Given the emergency nature of these actions, potentially FEMA-eligible grantees and subrecipients may have already begun.

As part of this emergency consultation, FEMA requests that the USFWS provide any recommended measures that may be implemented to avoid and minimize potential adverse effects from the implementation of emergency protective measures to any federally listed species that may be present within the jurisdictional boundaries of the California Fish and Wildlife Offices. Best management practices (BMPs) and avoidance and minimization measures (AMMs) will be utilized when feasible to most optimally prevent and/or eliminate any potential for adverse effects to federally listed species and/or critical habitat. FEMA is anticipating joint Preliminary Damages Assessments (PDAs) with the California Governor's Office of Emergency Services (CalOES) and the affected communities to begin once the weather conditions allow. FEMA will have Environmental Specialists in the field supporting the PDA teams and will have opportunity to brief potential grantees and subrecipients of BMPs, AMMs, or FWS recommendations to minimize the effects of the emergency response operations on listed species or their critical habitat that FWS may identify.

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Thank you in advance for your assistance.

Sincerely,

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Kenneth G. Sessa
Acting Environmental Officer
FEMA Region 9