

December 2023 Update

Environmental Impact Statement (EIS) for Modifications to the National Flood Insurance Program (NFIP) – Endangered Species Act (ESA) Integration in Oregon

Cooperating Agencies

FEMA is pleased to announce that the National Marine Fisheries Service and the U.S. Fish & Wildlife Service have accepted invitations to be Cooperating Agencies for the development of the Environmental Impact Statement (EIS). National Environmental Policy Act (NEPA) regulations emphasize agency cooperation early in the NEPA process.

Upon request of the lead agency, any Federal agency with jurisdiction by law shall be a cooperating agency. In addition, upon request of the lead agency, any other Federal agency with special expertise with respect to any environmental issue may be a cooperating agency. A State, Tribal, or local agency of similar qualifications may become a cooperating agency by agreement with the lead agency...¹

There are five other Cooperating Agencies for this EIS: Benton County, Tillamook County, Umatilla County, the City of Portland, and the state’s Department of Land Conservation and Development (DLCD). FEMA values their participation and special expertise in the development of the EIS.

The benefits of cooperating agency participation in the preparation of National Environmental Policy Act (NEPA) documents include: 1) disclosing relevant information early in the NEPA process; 2) applying available expertise and staff support; 3) avoiding duplication with other Federal, Tribal, State, and local requirements; 4) establishing a mechanism for addressing intergovernmental issues; 5) fostering intra- and intergovernmental trust; and 6) enhancing agencies’ ability to adopt environmental documents.²



¹ [Code of Federal Regulations, 40 CFR 1501.8a – Cooperating agencies](#)

² [DHS Instruction Manual 023-01-001-01, Rev 01, page V-20](#)



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OR EIS website

<https://www.fema.gov/about/organization/region-10/oregon/nfip-esa-integration>



Stakeholder Engagement Interviews and Takeaways

To inform the EIS, FEMA hired a third-party process support firm, Kearns & West, to assist in the stakeholder engagement effort. The firm conducted convening interviews with FEMA staff and cooperating agencies that have been involved in the NEPA Scoping process and/or will be involved in stakeholder engagement on the Draft EIS moving forward. The interviews took place from September through October. The following are a few overarching takeaways that will guide the development of the engagement strategy:

- Local governments are experiencing significant concerns and fears around uncertainty. FEMA will need to work closely with state and local partners to build an understanding of how to implement the changes to the NFIP and develop technical guidance and clear resources for local communities that would be responsible for implementing the new floodplain management requirements on the ground.
- A wide variety of sectors would be impacted by the adoption of the Oregon Implementation Plan, including business, development, real estate, and environmental interests. Economic impacts are a primary concern of the public as well as local elected officials. Outreach strategies and key messages should be tailored to local communities and specific interests.
- It will be important for FEMA to support the development of a shared understanding of the NFIP program requirements.
- FEMA will use clear and simple language to explain the proposed changes. FEMA and cooperating agencies should tailor messaging and communications as specifically as possible to how the proposed new requirements would affect and apply to individuals.
- State and local agencies have resources and relationships with local communities and stakeholders. For effective engagement, FEMA should leverage these partnerships to build trust and reach local audiences.

Next Steps

FEMA is currently developing, with input from cooperating agencies and stakeholders, chapters in the EIS and drafting the guidance that will include a model ordinance. We are working closely with our cooperating agency DLDC, as both of our agencies will be providing ongoing technical support to NFIP-participating communities. Concurrently, we are developing an engagement strategy which will include a variety of outreach and feedback mechanisms. FEMA anticipates publishing both the EIS and Technical Guidance in the summer of 2024 followed by a robust outreach and comment period of at least 60 days.

FEMA will host a Quarter 4, virtual office hour to hear feedback, questions and comments from local community officials on Monday, December 11, 2023, from 3-4 p.m. Pacific. There will be no formal presentation at this meeting. FEMA will be prepared to answer any questions that you may have about this quarterly report. Click [here](#) to register.



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