



FEMA



UFR Interagency Working Group Newsletter

The Unified Federal Review (UFR) Interagency Working Group Newsletter is a quarterly publication covering agency highlights, industry news, disaster declarations/updates, and partnering agencies' recent and upcoming program and policy activities and announcements. For more information on UFR, visit [Unified Federal Environmental and Historic Preservation Review | FEMA.gov](https://www.fema.gov/unified-federal-environmental-and-historic-preservation-review)

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UFR Announcements: NEPA Phase 2 Rule Finalized by CEQ

On May 01, 2024, the Council on Environmental Quality (CEQ) published the final rule for the “Bipartisan Permitting Reform Implementation Rule”, which updates the implementing regulations for the National Environmental Policy Act (NEPA) including changes made to NEPA by the Fiscal Responsibility Act of 2023. The new rule, also called the Phase 2 Rule, formally went into effect July 1, 2024, but agencies may choose to adopt the rule for reviews that were underway prior to the effective date.

The revisions intend to provide an effective environmental review process, ensuring full and fair public engagement, enhanced efficiency, regulatory certainty, and sound Federal agency decision-making. The new regulations direct agencies to quantify the effects of climate change, public health, and environmental justice; focus on consequential actions of a proposed action; and identify environmentally preferable alternatives as part of the NEPA process.

The new rule has created efficiencies in the NEPA process by, “setting clear deadlines for agencies to complete environmental reviews, requiring a lead agency

and setting specific expectations for lead and cooperating agencies, and creating a unified and coordinated federal review process.” Agencies have one year to complete Environmental Assessments and two years for an Environmental Impact Statement. Further, the rule clarifies roles and responsibilities of lead and cooperating agencies as part of the larger goal to deliver timely and unified federal reviews. The UFR Process can have a key role in achieving these efficiencies for disaster recovery projects, providing an effective vehicle to help agencies achieve the goals of the NEPA Phase 2 regulations.

UFR practitioners already employ many of the standards laid out in the Phase 2 Rule, such as joint Environmental Assessments on FEMA projects. When asked about the NEPA changes, FEMA’s Environmental Officer, Portia Ross said, “The UFR Working Group is a resource that can be used to improve our NEPA processes for interagency collaboration on NEPA documents. For example, the UFR process can be implemented to meet the time and page limits for NEPA documents. By working cooperatively, we can create thorough and concise documents more quickly.”

Ms. Ross went on to discuss what she saw as the largest benefit of the new NEPA regulations: increasing the ways agencies can adopt Categorical Exclusions (CATEX), especially sharing these exclusions between agencies. CATEXs are a programmatic type of environmental review that streamline the way agencies conduct NEPA for routine activities that have been proven to have no significant impact to resources. The new regulations allow agencies to adopt CATEXs from other agencies that have already undergone that substantiation process, which could save time and money.

As for exactly how UFR would be involved, Ms. Ross said, “UFR can play a large role in implementing the Phase 2 regulations by facilitating that cross-agency dialogue to identify useful CATEXs and increase efficiencies in the agency approaches to CATEX sharing. UFR has already built those communication pathways, and we can use those for discussions on which CATEXs are best suited for sharing. The capability to discuss CATEX sharing with multiple agencies at a time results in broader visibility on those efforts as part of a more efficient process.”

DHS and the FEMA Office of Environmental Planning and Historic Preservation, which includes the FEMA UFR team, have already had success with these new regulations. On July 2, DHS posted a [notice](#) announcing the adoption of 18 CATEX from the Department of Energy for proposed DHS actions. The CATEX identification effort was led by the FEMA UFR team, which has identified dozens of CATEX from other agencies that could be adopted in the future. This was only the first step, as DHS and FEMA intend to continue partnering with other agencies in CATEX sharing to support their missions.

See the complete Phase 2 rule [here](#).

Agency Highlight: Department of the Interior Office of Environmental Policy & Compliance

The UFR Interagency Working Group Newsletter regularly highlights one of our UFR partner agencies. This newsletter edition will focus on the [Department of the Interior \(DOI\) Office of Environmental Policy & Compliance, Disaster Response and Recovery \(OPEC\)](#).

OPEC is designated as the coordination office for DOI and coordinates with DOI bureaus and federal interagency partners to support federal, state, tribal, and territorial efforts to protect natural and cultural resources.




As part of their responsibilities, they are the:

- Federal government's lead for the recovery of natural and cultural resources nationwide, under the Natural and Cultural Resources Recovery Support Function (NCR RSF) of the National Disaster Recovery Framework. The coordinators often take the lead in coordinating support required during the response and recovery phases. The coordinators can assist in making connections with other federal agencies, a key element of the UFR process (figure 1).
- Primary Agency under Emergency Support Function #11 (ESF) Agriculture and Natural Resources of the National Response Framework and coordinating agency for protecting the natural and cultural resources and historic property's role of ESF #11.
- Improve nationwide emergency preparedness through the OPEC's Environmental Response and Recovery Division (ERRD Team) who work with federal, state, and local agencies.

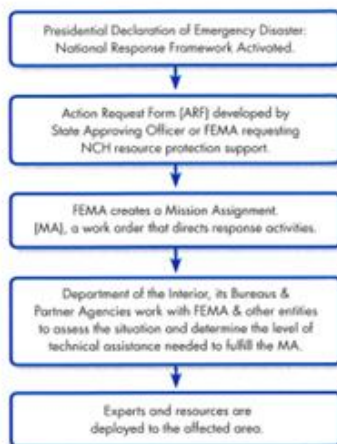
Examples of possible assistance offered by ESF #11

Protection of Natural and Cultural Resources and Historic Properties (NCH):

- Create and maintain Geographic Information Systems (GIS) maps and provide Global Positioning Systems (GPS) support and training.
- Stabilize and restore damaged shorelines and riparian banks to re-establish habitat and prevent erosion and subsequent damage to natural resources.
- Conduct condition assessments and produce preservation plans for historic sites and structures.
- Provide Incident Management Teams to identify NCH resources and assist in protection of NCH resources and response and recovery actions.
- Coordinate the stabilization of historic structures, cultural resources and archaeological sites. Arrange for removal and provide initial stabilization for museum and archival collections.
- Assist in emergency compliance with relevant federal environmental laws during emergency response activities, such as consultation under the Endangered Species Act, the Coastal Barrier Resources Act, the Native American Graves Protection and Repatriation Act, the National Historic Preservation Act, and other applicable laws.
- Offer technical assistance with the recovery of both paper and digital state and local records.



Biological Survey of swan nesting sites. (Yukon Flats NWR, FWS)




For further information contact:
 U.S. Department of the Interior
 Office of Environmental Policy and Compliance
 Phone: (202) 208-3301
www.DOI.gov/ProtectNCH/

Protecting America's Natural and Cultural Resources and Historic Properties (NCH) During Disasters



Historic carriage house damaged by Hurricane Katrina before and after stabilization, Chalmette, LA. (NPS)

Supporting the National Response Framework Emergency Support Function #11 NCH

- U.S. Department of the Interior
- U.S. Department of Agriculture
- U.S. Department of Commerce
- National Oceanic & Atmospheric Administration
- U.S. Department of Homeland Security
- Federal Emergency Management Agency
- Advisory Council on Historic Preservation
- The National Archives & Records Administration
- Heritage Emergency National Task Force

Summary of the ESF UFR Process

OPEC Case Study: Puerto Rico

Coral reefs are incredibly important as they provide a habitat for a diverse ecosystem and help prevent erosion by serving as a barrier between land and the ocean. However, hurricanes and climate change are impacting their health and ability to act as natural infrastructure. With more frequent and intense hurricanes hitting coastal areas of the United States, it's crucial to prioritize the protection of these reefs. In Puerto Rico, both Hurricane Irma and Hurricane Maria damaged the already fragile ecosystem when they made landfall in September 2017.

Numerous government agencies were involved in the immediate response and long-term recovery efforts following a natural disaster. According to Jennifer A. Wellock, the National Coordinator of NCR RSF Environmental Response and Recovery in OPEC at DOI, issues related to historical and environmental preservation can sometimes take a while to surface "or bubble up" during the recovery process. Reef recovery efforts were already underway due to years of deterioration, but the post-2017 hurricane season recovery efforts exposed the need to do more.

Puerto Rico's long-term solution of growing more coral and stabilizing existing coral became a priority. Both [DOI](#) and [FEMA](#) provide grants to help fund the

restoration. But because of interagency cooperation, both can reach out to other agencies and rely on their expertise, programs like the Office of Habitat Conservation in the National Oceanic and Atmospheric Administration (NOAA) and do great things.

NOAA awarded \$10.6 million to its longtime partner in Puerto Rico, the Institute for Socio-Ecological Research (ISER), to protect and restore reefs around the island. With previous support from NOAA, Dr. Stacey Williams, the Co-Founder of ISER, and her team of local scientists have developed innovative methods to enhance coral survival in the Caribbean.

Now, after years of solidifying the groundwork for this research, ISER is expanding its efforts on a massive scale. The award will allow the Institute and its partners to:

- Restore six coral reefs around the island by out planting more than 124,000 micro-fragments of massive, reef-building corals
- Protect coral by releasing about 12,000 sea urchins and 6,400 crabs that eat coral-smothering algae
- Expand and improve laboratory facilities and nurseries to produce and house more bleaching- and disease-resistant corals as well as sea urchins and crabs
- Provide more than 60 new jobs to Puerto Rican residents, including assistantships to students researching topics related to coral reef conservation

The recovery journey in Puerto Rico underscores the value and complexities of implementing a unified approach to federal disaster response. As the world faces increasing threats from extreme weather events, the need for streamlined, cohesive, and adaptable recovery strategies becomes increasingly evident. The evolution of the UFR process, informed by the real-world application and challenges encountered in scenarios like Puerto Rico, is a testament to the ongoing quest for resilience and recovery in the face of adversity.



Left: Coral reef in Tres Palmas, Puerto Rico (Photo: NOAA) Right: Dr. Katie Flynn and Dr. Stacey Williams collecting one-month-old *Diadema* urchin settlement collector plates. (Photo: ISER)

Case Study Collection and Development: To showcase the work of our Partner Agencies, we are aiming to actively gather and create case studies, stories, successes, and best practices. This will emphasize the significance of our work and amplify its impact and justify dedicating time to the UFR process to senior leadership and Congress.

Get Involved: If you would like to volunteer to be featured in the future UFR Partner Agency Newsletter or Case Study Development, please email federal-unified-review@fema.dhs.gov

UFR Publications and FEMA Highlights

FEMA's UFR team has just released two new publications aimed at enhancing interagency collaboration. These resources are designed to streamline the process of drafting agreements vital to our shared missions.

- The [Guide to Developing Memorandum of Agreements/Understanding \(MOAs/MOUs\)](#), offers guidance and resources for crafting MOUs between FEMA components, other government agencies, or other entities.
- The [UFR Guide to Interagency Reimbursable Work Agreements \(IRWAs\)](#) provides practical assistance in selecting, drafting, and reviewing IRWAs between your agency and partner agencies.

We encourage you to leverage these guides within your teams and share them widely with stakeholders.

UFR Interagency Technical Sessions

UFR Interagency Technical Sessions are virtual and cover a variety of topics relating to:

- disaster recovery, ranging from overviews of various agencies' roles and responsibilities
- new funding opportunities available for disaster response and recovery
- overviews of new laws/regulations by implementing agencies
- specific case studies or best practices resulting from interagency collaboration in the field.

Technical Sessions are from 2:00 pm - 3:30 pm EST and occur bimonthly on the 2nd Thursday of the month. Upcoming Technical Sessions:

- September 12, 2024

- September's session will be on Endangered Species Act (ESA), Federal Flood Risk Management Standards (FFRMS), and NEPA (panelists are FWS, FEMA, and CEQ respectively)
- November 14, 2024
- January 9, 2025
- March 13, 2025

Objectives:

- Increase awareness of agencies' roles and responsibilities in disaster response and recovery
- Expand technical knowledge and expertise relating to disaster response and recovery
- Share information across federal agencies, including case studies, best practices, and challenges to interagency coordination of EHP reviews
- Build community within EHP practitioners

These sessions are open to the public and are intended for anyone working in emergency management or disaster response/recovery, including federal agencies, state, local, and tribal governments, and EHP/UFR practitioners.

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Department of Homeland Security Adoption of 18 Categorical Exclusions Established by the Department of Energy

On Tuesday, July 2, DHS published in the Federal Register the [notice](#) to adopt 18 Categorical Exclusions (CATEX) established by the Department of Energy (DOE) to use for proposed DHS actions. The [notice](#) describes the categories of proposed actions and potential activities for which DHS and its agency components may use the CATEX.

Section 109 of NEPA, enacted as part of the Fiscal Responsibility Act of 2023, established a process for federal agencies to adopt another agency's categorical exclusions. To adopt a categorical exclusion listed in another agency's NEPA procedures, an agency must first identify a relevant categorical exclusion listed in that agency's (establishing agency) NEPA procedures; consult with the establishing agency to ensure the proposed adoption of the categorical exclusion to the category of actions is appropriate; identify to the public the categorical exclusion

that the agency plans to use for its proposed actions; and document adoption of the categorical exclusion.

Disaster Updates

President Joseph R. Biden, Jr. Approves Montana Disaster Declaration

President Joseph R. Biden, Jr. declared that a major disaster exists in the State of Montana and ordered Federal assistance to supplement state, tribal, and local recovery efforts in the areas affected by a severe winter storm and flooding from May 6 to May 9, 2024.

[Read more.](#)

President Joseph R. Biden, Jr. Approves Kansas Disaster Declaration

President Joseph R. Biden, Jr. declared that a major disaster exists in the State of Kansas and ordered Federal assistance to supplement state, tribal, and local recovery efforts in the areas affected by severe storms, straight-line winds, tornadoes, and flooding from April 25 to April 30, 2024.

[Read more.](#)

President Joseph R. Biden, Jr. Approves Texas Disaster Declaration

President Joseph R. Biden, Jr. declared that a major disaster exists in the State of Texas and ordered Federal aid to supplement State, tribal, and local recovery efforts in the areas affected by Hurricane Beryl from July 5 to July 9, 2024.

[Read more.](#)

President Joseph R. Biden, Jr. Amends Hawaii Disaster Declaration

President Joseph R. Biden, Jr. made additional disaster assistance available to the State of Hawaii by authorizing an increase in the level of Federal funding for emergency protective measures undertaken in the State of Hawaii as a result of wildfires and high winds during the period of August 8 to September 30, 2023.

[Read more.](#)

President Joseph R. Biden, Jr. Approves New Mexico Disaster Declaration

President Joseph R. Biden, Jr. declared that a major disaster exists in the State of New Mexico and ordered Federal aid to supplement State, tribal, and local recovery

efforts in the areas affected by the South Fork Fire and Salt Fire beginning on June 17, 2024, and continuing.

[Read more.](#)

President Joseph R. Biden, Jr. Approves West Virginia Disaster Declaration

President Joseph R. Biden, Jr. declared that a major disaster exists in the State of West Virginia and ordered Federal assistance to supplement state and local recovery efforts in the areas affected by severe storms, straight-line winds, tornadoes, flooding, landslides, and mudslides from April 2 to April 6, 2024.

[Read more.](#)

President Joseph R. Biden, Jr. Approves New Hampshire Disaster Declaration

President Joseph R. Biden, Jr. declared that a major disaster exists in the State of New Hampshire and ordered Federal assistance to supplement state and local recovery efforts in the areas affected by severe storms and flooding from January 9 to January 14, 2024.

[Read more.](#)

President Joseph R. Biden, Jr. Approves Washington Disaster Declaration

President Joseph R. Biden, Jr. declared that a major disaster exists in the State of Washington and ordered Federal assistance to supplement state, tribal, and local recovery efforts in the areas affected by wildfires from August 18 to August 25, 2023.

[Read more.](#)

Tropical Storm Debby Emergency Declarations

[Vermont Tropical Depression Debby \(EM-3609-VT\)](#) Incident Period: August 8, 2024 and continuing. Emergency Declaration declared on August 8, 2024

[North Carolina Tropical Storm Debby \(EM-3608-NC\)](#) Incident Period: August 5, 2024 and continuing. Emergency Declaration declared on August 6, 2024

[South Carolina Hurricane Debby \(EM-3606-SC\)](#) Incident Period: August 4, 2024 and continuing. Emergency Declaration declared on August 5, 2024

[Georgia Hurricane Debby \(EM-3607-GA\)](#) Incident Period: August 4, 2024 and continuing. Emergency Declaration declared on August 5, 2024

[Florida Tropical Storm Debby \(EM-3605-FL\)](#) Incident Period: August 1, 2024 and continuing. Emergency Declaration declared on August 3, 2024

To learn more about FEMA declarations and updates, please visit [fema.gov](https://www.fema.gov).

For more information on implementing the UFR process, including other job aids, templates, and resource documents, visit the [UFR Libraries on FEMA.gov](#).