

Special Edition – August 2025

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Newsletter Ideas?

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Update on National Flood Insurance Program - Endangered Species Act Integration in Oregon

Updated Draft Implementation Plan expected late summer 2025

In their 2016 Biological Opinion (BiOp), the National Marine Fisheries Service (NMFS) concluded that, in the Oregon plan area, the NFIP is likely to jeopardize the continued existence of Endangered Species Act (ESA)-listed species, result in the destruction or adverse modification of designated critical habitat, and have adverse effects on Essential Fish Habitat (EFH) for fishery resources under the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

FEMA is analyzing potential changes to the NFIP to avoid the impacts outlined above while still maintaining consistency with its existing NFIP statutory and regulatory authorities. The updated Draft Implementation Plan outlines the "no net loss" standards that communities within the plan area would need to fulfill to continue participating in the NFIP. The no net loss standards comprise mitigation ratios to offset impacts on three floodplain functions, riparian buffer zone (RBZ) requirements, as well as reporting requirements. It provides a model ordinance and explains the four paths by which an NFIP-Participating community can demonstrate compliance with the ESA and the MSA. Over 200 communities would be affected by the potential NFIP implementation changes.

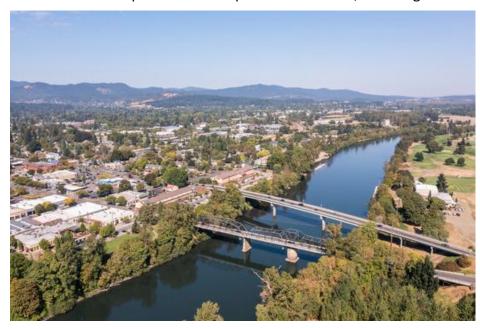
Draft Environmental Impact Statement (Draft EIS) expected late summer 2025

In compliance with the National Environmental Policy Act (NEPA), FEMA expects to publish a Draft EIS in late summer 2025. The Draft EIS evaluates the potential impacts of alternatives on how the NFIP is implemented in the Oregon plan area.

The Draft EIS evaluates three alternatives. The No Action Alternative considers the effects of not changing how the NFIP is implemented in the Oregon plan area. Two action alternatives evaluate the effects of requiring no net loss standards for development in the Oregon plan area.

In accordance with FEMA's implementing policies for the NEPA, FEMA will request public comment on the Draft EIS. The public may comment on the

Draft EIS and the updated Draft Implementation Plan, including the four paths and the model ordinance.



Corvallis, Oregon showing undeveloped SFHA on the right (credit M.Durson)

Versions of the Plan

Following the release of the 2016 BiOp, FEMA worked with the Oregon Department of Land Conservation and Development (DLCD) and interested stakeholders to develop an integration plan. The first version of the plan was prepared in 2018. After community review and a robust stakeholder engagement process, FEMA published an updated version in October 2021.

In March 2023, FEMA initiated scoping under the NEPA (<u>88 FR 13841</u>) to gather input on the range of alternatives and potential impacts to be studied in the Draft EIS. FEMA has now released an update to the 2021 plan that incorporates public comments.

FEMA will consider all input received during the Draft EIS public review and comment period. Following the public review and comment period on the Draft EIS, FEMA will develop a Final EIS, identify a preferred alternative, and publish a Record of Decision to conclude the NEPA process.

Visit the <u>NFIP-ESA Integration in Oregon Program website</u> to learn more and sign up for updates about the Draft EIS and upcoming public comment opportunities.

Note: this article was originally sent through the GovDelivery subscription service on August 11, 2025, and modified for formatting. To sign up for the GovDelivery service and receive more articles like this directly, click here.

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