

NFIP ESA Section 7(a)(1) Conservation Action Program

Purpose

The Federal Emergency Management Agency (FEMA) worked collaboratively with the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) to utilize its authorities under the National Flood Insurance Program (NFIP) to further the conservation of threatened and endangered listed species pursuant to Section 7(a)(1) of the Endangered Species Act (ESA).

Overview

The NFIP ESA Section 7(a)(1) Conservation Action Program leverages existing FEMA flood risk mitigation priorities by promoting the creation, maintenance, and preservation of naturally functioning floodplains that benefit native flora and fauna generally, and threatened and endangered species and their habitat specifically. The following is an overview of the intent and purpose for the three key components of the NFIP ESA Section 7(a)(1) Conservation Action Program. FEMA coordinated with USFWS and NMFS to determine what actions effectively promote the conservation of federally listed species and their designated critical habitats.



FEMA

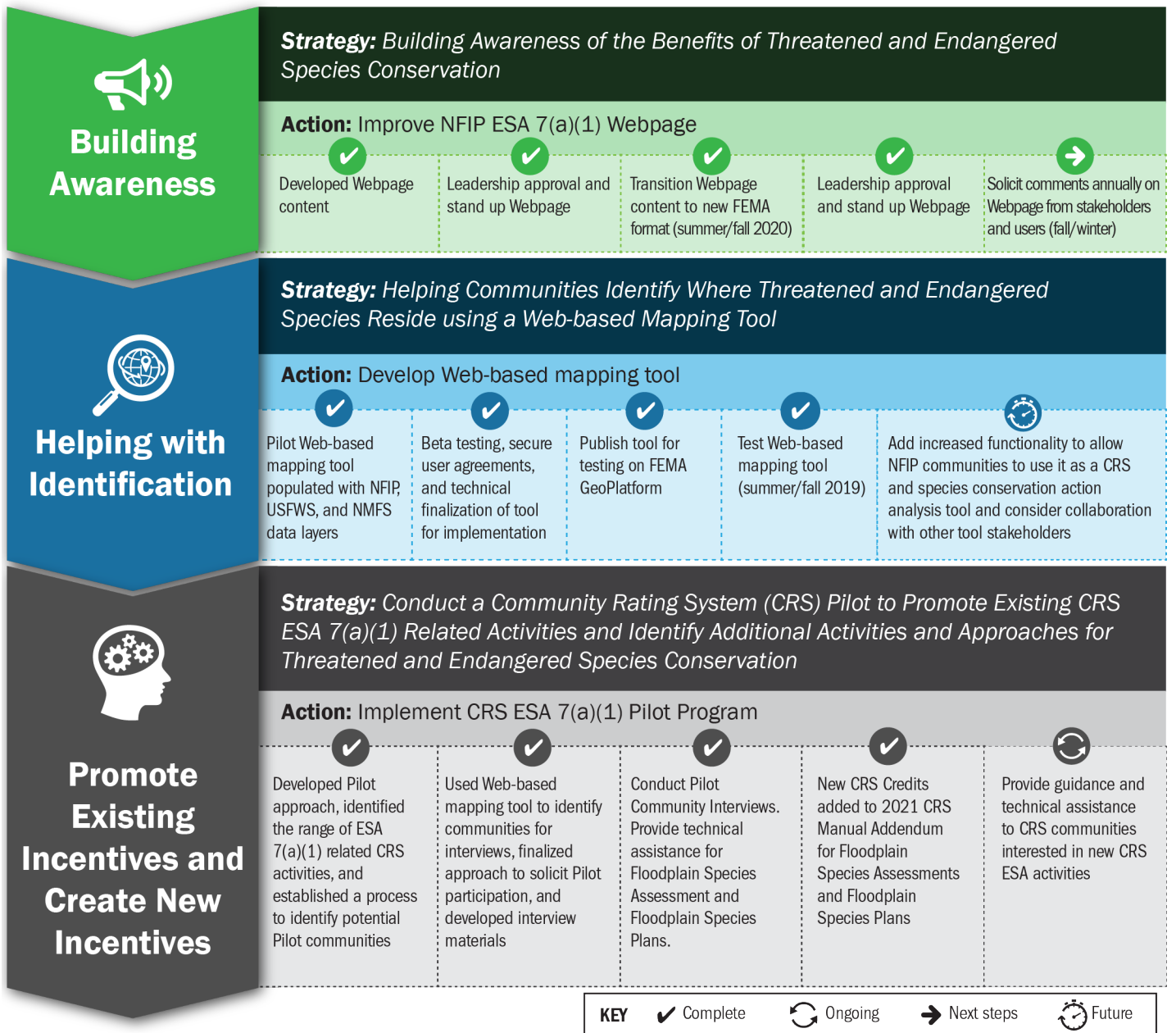


Figure 1. NFIP ESA Section 7(a)(1) Conservation Action Program Components

Specific Components



Building Awareness in Communities of the Benefits of Threatened and Endangered Species and Habitat Conservation:

FEMA developed a Webpage (<https://www.fema.gov/floodplains-and-wildlife-conservation>) to raise the awareness of the over 22,000 communities currently participating in the NFIP on the benefits of conserving threatened and endangered species and their habitat. The Webpage builds off existing efforts to promote the protection of natural floodplain functions, which are efforts that often have benefits for habitat conservation. The Webpage references materials on various USFWS and NMFS websites due to their greater expertise in species conservation.



Helping Communities Identify Floodplains Where Threatened and Endangered Species Reside Using a Web-based Mapping Application:

FEMA created the Flood Risk and Endangered Species Habitat (FRESH), a Web-based geospatial mapping application (<https://fema.maps.arcgis.com/apps/webappviewer/index.html?id=c01581a28192417b90b7898ebc323c5c>) that allows communities to overlay their NFIP regulatory floodplain (100-year floodplain/Special Flood Hazard Area) with designated critical habitat and species range maps. The FRESH mapping tool helps communities identify whether, and what, threatened or endangered species may be present in their floodplains. Communities engaging in conservation activities through the CRS (see sidebar) benefit from discounted NFIP flood insurance premiums.

As these CRS conservation activities already exist, FEMA plans to raise community awareness of opportunities to conserve threatened and endangered species and their habitat, in addition to also lowering a community's insurance rates. FEMA plans to add increased functionality to the FRESH mapping tool, such as allowing communities to see what points they currently receive for certain CRS activities, or identifying additional activities the community can undertake to promote habitat and species conservation.



Incentivizing Natural Floodplain Function Activities and Threatened and Endangered Species Conservation through the NFIP's Community Rating System (CRS):

FEMA is leveraging its CRS program to reward communities for taking actions that both mitigate flood risk and benefit threatened and endangered species. Through a pilot study, FEMA teamed with USFWS and NMFS to work with a few communities interested in species conservation to: 1) identify CRS-creditable activities communities might be willing to engage in that both conserve species and mitigate flood risk; 2) identify barriers and opportunities for those activities; 3) develop guidance to help communities conserve species; and 4) provide technical assistance to communities to help carry out these conservation activities. The pilot study allowed FEMA to gain insight into how communities undertake activities to conserve listed species, especially those actions that also earn CRS credits.

FEMA, USFWS, and NMFS provided recommendations for new CRS conservation activities in the interim 2021 Addendum to the *2017 CRS Coordinators Manual*. Two new subelements, the Floodplain Species Assessment (FSA) and Floodplain Species Plan (FSP), will be introduced in the 2021 Addendum. These CRS subelements are designed to encourage local officials to assess the threatened and endangered species that have range in their communities, research conservation and recovery activities for those species where community actions will have the greatest impact, and adopt a plan to implement those actions.

CRS communities earn NFIP flood insurance premium discounts for protecting the natural functions of floodplains by:

- Preserving open space in floodplains;
- Protecting natural shorelines;
- Prohibiting fill in the floodplain;
- Providing for low impact development, low density zoning, and land development criteria that encourage open space and floodplain protection;
- Creating and implementing a watershed management plan, habitat conservation plan, natural functions plan, or comprehensive floodplain management plan;
- Prohibiting buildings in floodplains;
- Adopting regulations to protect natural and beneficial functions and water quality;
- Managing stormwater runoff;
- Controlling erosion and sediment throughout the watershed;
- Planning for the protection and restoration of habitat and natural functions of floodplains;
- Implementing public outreach and education projects about the natural functions of floodprone areas;
- Providing information about local natural functions and resources, threatened and endangered species, habitat, and other features in local libraries and a community's Webpage;
- Acquiring floodprone properties and relocating them out of the floodplain; and
- Adopting stream dumping regulations.