

## 506 National Flood Insurance Reform Act of 1994

This Act requires that, “if a community has received mitigation assistance under Section 1366 [the Flood Mitigation Assistance Program], the credits shall be phased in a manner, determined by the Director, to recover the amount of such assistance provided for the community.”

In general, this is limited to Activity 520 (Acquisition and Relocation) and Activity 530 (Flood Protection), the two activities most likely to be funded. Because the Flood Mitigation Assistance Program provides a 75% grant, a community will receive 25% of the credit for protecting a building under Activities 520 and 530.

*NOTE: This is a statutory requirement that only applies to the Flood Mitigation Assistance program, not to other FEMA-funded financial assistance programs.*

### Example 506-1.

A community applies for credit under Activity 520 (Acquisition and Relocation) for having removed 20 buildings from the floodplain. Five of those buildings were acquired with a 75% grant from the Flood Mitigation Assistance Program.

The ISO/CRS Specialist will calculate the credit based on 25% credit for the five buildings and full credit for the other 15. If the community can demonstrate that there was a higher local cost-share, the points will be adjusted accordingly.

## 507 Compliance with Provisions for Environmental and Historic Preservation

Federal actions and undertakings, including ongoing programs, must comply with applicable federal environmental and historic preservation laws, implementing regulations, and executive orders. The CRS is a federal program and FEMA has identified certain building or land-altering activities that must meet this requirement if they are to be considered for CRS credit. These include projects undertaken under Activity 520 (Acquisition and Relocation), Activity 530 (Flood Protection), Activity 540 (Drainage System Maintenance), and Activity 620 (Levees).

The level of environmental and historic preservation compliance and documentation required for each project is determined by the type of project and the source of its funding. For CRS purposes, a project falls into one of these two categories:

- Projects funded (in whole or in part) by a federal agency, and
- Projects funded by a state and/or local government.

**NOTE:** Using any amount of federal or FEMA funding (including using it as a match for a locally sponsored project) has the effect of bringing that project into the “federally funded” category. For any such project, therefore, all of the federal environmental and historic preservation requirements must be met.

Self certification is provided through the completion of Community Certifications of Compliance with Environmental and Historic Preservation Requirements (CC-EHPs). The CC-EHP forms can be found in Appendix F, downloaded from [www.CRSresources.org](http://www.CRSresources.org), or requested from the ISO/CRS Specialist.

- Certifications are required for all projects in Activity 520 (Acquisition and Relocation) and Activity 530 (Flood Protection) that were permitted or initiated after the implementation of the 2013 *Coordinator’s Manual*.
- Certifications are required at each verification visit for the ongoing maintenance programs credited under Activity 540 (Drainage System Maintenance) and Activity 620 (Levee Maintenance).
- Projects funded by FEMA are considered to meet FEMA’s environmental and historic preservation compliance requirements. A summary of such projects needs to be included in the Community Certifications.

If a community is not able to provide the information needed to certify that compliance occurred before implementation of the project or activity, then CRS credit will not be provided for that project or for that element of a CRS Activity.

#### **507.a. Activity 520 (Acquisition and Relocation) and Activity 530 (Flood Protection)**

The CC-EHPs, certifying compliance with the appropriate requirements, are required for all projects credited under Activity 520 or Activity 530 that were implemented AFTER the effective date of the 2013 *Coordinator’s Manual*. They are not required for projects that were implemented before the 2013 *Coordinator’s Manual* became effective, including projects that received CRS credit under an earlier *Coordinator’s Manual*.

Projects funded in whole or in part by FEMA are considered to have already complied with FEMA’s environmental and historic preservation requirements. A summary description of these projects needs to be documented in the CC-EHPs.

#### **507.b. Activity 540 (Drainage System Maintenance) and Activity 620 (Levees)**

The CC-EHPs certifying compliance with the appropriate requirements must be submitted at the time that CRS credit is requested for projects under Activities 540 or 620. This includes the first time that Activity 540 or Activity 620 credit is requested as well as each subsequent verification visit at which continued credit is requested.

### **507.c. More Information on Environmental Compliance**

The CC-EHPs consist of CC-520EHP, CC-530EHP, CC-540EHP, and CC-620EHP. They can be found in Appendix F, downloaded from [www.CRSresources.org](http://www.CRSresources.org), or requested from the ISO/CRS Specialist.

A matrix of the various requirements for environmental and historic preservation compliance as they relate to CRS-credited projects is posted at [www.CRSresources.org/500](http://www.CRSresources.org/500).

Figure 500-4 summarizes the applicable federal requirements for environmental and historic preservation. For more information about FEMA's preservation policies, visit [www.fema.gov/environmental-planning-and-historic-preservation-program](http://www.fema.gov/environmental-planning-and-historic-preservation-program).

Figure 500-5 gives brief descriptions of applicable federal environmental laws and executive orders, along with links to websites that offer more information.

Communities are encouraged to learn more about federal, state, and other programs for the protection of environmental, cultural, and historic resources. Many of the principles and techniques used by such programs can be incorporated into the community's floodplain management efforts, and thereby help to reduce flood losses and sustain the natural functions of floodprone areas.

It is FEMA's policy to act with care to ensure that its disaster response and recovery, mitigation and preparedness responsibilities are carried out in a manner that is consistent with all Federal environmental and historic preservation policies and laws. FEMA uses all practical means and measures to protect, restore and enhance the quality of the environment, to avoid or minimize adverse impacts to the environment, and to attain the objectives of

- Achieving use of the environment without degradation or undesirable and unintended consequences;
- Preserving historic, cultural, and natural aspects of national heritage and maintaining, wherever possible, an environment that supports diversity and variety of individual choice;
- Achieving a balance between resource use and development within the sustained carrying capacity of the ecosystem involved; and
- Enhancing the quality of renewable resources and working toward the maximum attainable recycling of depletable resources.

Source: [www.fema.gov/environmental-planning-and-historic-preservation-program](http://www.fema.gov/environmental-planning-and-historic-preservation-program)

**Figure 500-4. Summary of FEMA's policy on environmental and historic preservation.**