Environment and Historic Preservation (EHP)

- Public assistance projects go through EHP review.
- FEMA EHP checks for compliance with State, Federal, and local Environment and Historic Preservation laws and regulations.
- FEMA EHP creates a REC (Record of Environmental Consideration) report for projects that details their findings and which permits and forms are necessary for the project.
- FEMA EHP does not issue permits.
  - Applicants are responsible for obtaining all required permits.
  - Applicants must ensure hired contractors have obtained all required permits.
Work in Water

• Work done in or near a waterway requires permitting.
  • Permits come from – USACE (US Army Corps of Engineers) SD DANR (South Dakota Department of Agriculture & Natural Resources) and Floodplain Administrators
  • This includes staging areas and disposal areas that are near water, in a floodplain, or near a wetland area.

• The Clean Water Act applies to all work done in or near a waterway or wetland area.

• Changing the flow of water may require a Hydraulics and Hydrology (H&H) study.

• GPS coordinates will show if your sites are in or near waterways or wetland areas.
Endangered Species Act - ESA

- South Dakota is home to 16 Federally listed endangered species.
  - Examples: Northern Long Eared Bat, Whooping Crane, Piping Plover, Black Footed Ferret, Pallid Sturgeon, Topeka Shiner
- FEMA EHP created checklists for applicants who may be working in areas where Topeka Shiners and Northern Long Eared Bats reside.
Historic Preservation

• The National Historic Preservation Act defines the responsibilities of Federal agencies for preservation of historic properties.
  • Any structure that is more than 50 years old may be considered historic.
• Any disturbance of previously undisturbed ground may require an archaeological consultation.
• SHPO – State Historic Preservation Office
• THPO – Tribal Historic Preservation Office
• Any work near or on a reservation requires THPO consultation.
• Consultation must happen **BEFORE** work starts.
Green Sheet

- Applicants are provided a copy of the EHP Green Sheet at all applicant briefings.

- The Green Sheet gives brief explanations of laws and regulations that require permitting and consultation.

- The Green Sheet also contains names and contact information for permitting agencies.
Have Questions?

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