

## General EHP Concerns – Conditions for Implementation of Temporary Relocation of Essential Services

FEMA must conduct an Environmental and Historical Preservation (EHP) review before an Applicant temporarily relocates essential services as eligible work under the Public Assistance program where there is:

- x Location in a floodplain
- x Ground disturbance or alteration of an existing building over 45 years of age
- x Potential impact of a threatened and endangered species.

### I. Location of a Temporary Facility in a Floodplain

Executive Order 11988, 42 FR 26951 (May 24, 1977) requires all agencies to minimize or avoid activity that adversely affects floodplains. FEMA publishes its implementing regulations for EO 11988 in 44 CFR Part 9. The regulations apply to temporary relocation of essential services through the Public Assistance program.

#### A. In General

FEMA discourages the temporary relocation of essential services in a special flood hazard area (SFHA). If the Applicant intends to locate a proposed temporary facility in a structure (including modular buildings) in the floodplain, then the Applicant must evaluate its proposal to determine if there are any other areas or structures located outside the SFHA where the Applicant could place the temporary facility or house the essential services.

An Applicant may not build, replace, or substantially improve a structure in an SFHA as part of a temporary relocation of essential services unless the Applicant—

1. Provides justification to FEMA that locating the temporary facility outside the SFHA is not feasible;
2. Elevates the facility above the base flood elevation (BFE) to highest extent practicable, and anchors the unit;
3. Coordinates with the local floodplain administrator to obtain proper permitting; and
4. Obtains and maintains flood insurance on the structure.
5. Obtains FEMA EHP approval.

#### B. Critical Actions

Some projects constitute critical actions that require enhanced floodplain management requirements. A critical action is an action for which even a slight chance of flooding is too great. 44 CFR 9.4. Critical actions include the building of structures likely to contain occupants lacking in (t) was provided.

FEMA discourages the temporary relocation of essential services that constitute a critical action in an “area subject to inundation from a flood having a 0.2 percent chance of occurring in any given



C. Areas