



# FEMA

## REGION VII DISASTER-WIDE EHP (ENVIRONMENTAL AND HISTORICAL PRESERVATION) PUBLIC NOTICE SOP July 2017

### BACKGROUND

FEMA is required by law to provide public notice of the agency's intent to provide federal assistance and grant opportunities post-disaster via the Public Assistance (PA), Individual Assistance (IA), or Hazard Mitigation Grant (HMGP) programs. FEMA is also required to engage in appropriate levels of public involvement for federal actions that require compliance under the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), EO11988: Floodplain Management, EO11990: Wetlands Protection, and EO12898: Environmental Justice. FEMA also must give notice of the agency's intent to protect the civil rights of persons with disabilities as required by the Rehabilitation Act.

The R7 Environmental Planning and Historic Preservation (EHP) Office drafts the disaster-wide public notice, which is required to meet both EHP compliance requirements and federal grant public noticing requirements, and then coordinates with leadership and our external partners to ensure the notice is published. Nationally and in R7, the most common method of meeting these requirements has been to place a public notice in the newspaper of record or in papers with the widest circulation in the declared counties. On average, this method may generate at most 5-10 comments per disaster, with the usual number being close to or at zero. Additionally, the range of cost for publication in newspapers is typically between \$8 and \$15,000.

Following discussions between Regional Environmental Officers (REOs) and the Office of Environmental Planning and Historic Preservation (OEHP), Region VII EHP, in conjunction with Region VII EA (External Affairs) and Counsel; agreed on a different method of promulgating the Public Notice. Taking into account the changing landscape of digital communications and how the majority of U.S. citizens now receive and digest information, it has been determined that our focus will be on pushing the information out electronically.

We believe that a digital focus will be a more effective approach to meeting public notice and involvement requirements. It is anticipated that this approach may increase the reach of the disaster-wide public notice to disaster survivors, and have the additional benefit of saving taxpayer dollars.

### PUBLIC NOTICE PROCESS (ELECTRONIC APPROACH)

Step 1: Draft disaster-wide public notice (ensure 508-compliance) using existing OCC-approved template.

Step 2: In partnership with External Affairs, draft press release regarding disaster-wide public notice. EA determines what media outlets and other forums need to be targeted.

Step 3: Post disaster-wide public notice on FEMA website (request assistance from External Affairs).

Step 4: Send disaster-wide public notice to state emergency management agency for consideration of posting on state website.

Step 5: External Affairs sends out press release with copy of public notice attached to EA Stakeholder groups as appropriate (news media outlets, tribal entities, etc.).

Step 6: IF NEEDED, print copies of disaster-wide public notice for posting and distribution at Disaster Recovery Centers (DRCs), Mitigation Outreach Sites, Applicant Briefings (with a request to post locally attached), and Kick-off Meetings (with a request to post locally attached).

Step 7: Address comments received.

### USE OF THE ELECTRONIC METHOD

How to best distribute the disaster public notice will be decided on a disaster-by-disaster basis at the JFO, in consultation with the REO and Counsel, if necessary. In some instances, the electronic approach may be the best method of circulation, while in some instances the traditional publication in the newspaper of record will be most appropriate. In fact, both methods could be utilized on the same disaster. Additionally, if it is known/expected that there is going to be significant EHP related input from a community, outreach methods will be tailored accordingly (i.e. could include a public meeting, interview with local media, etc..).

With the development of the electronic approach to circulate the disaster public notice, FEMA has an additional option when it comes to making sure legal requirements are met, and disaster survivors are best served.