

## Appendix 16. Example Protocol Agreement Between FEMA and NPS Regarding Wild and Scenic Rivers

### PROTOCOL AGREEMENT BETWEEN FEMA AND NATIONAL PARK SERVICE FOR REVIEWING PROJECTS INVOLVING WILD AND SCENIC RIVERS DURING DR-1895-MA, DR-1892-NH AND DR-1904-CT.

#### A. Projects involving construction activity within the bed or banks of designated Wild and Scenic River areas or official Study Rivers, or on a direct tributary of such segments.

1. To ensure compliance with Section 7 of the Wild and Scenic Rivers Act, all such projects will be reviewed by the National Park Service, and shall require a written sign-off from NPS as a part of FEMA's environmental review process.

#### B. Project not directly associated with the river bed or banks, but involving construction within the Wild and Scenic River area or official Study River corridors:

1. In those instances where FEMA conducts formal consultation with a Federal or State agency regarding resources that could affect Wild and Scenic River values of interest to the NPS (historic properties, endangered species, etc.), FEMA will include NPS in the consultation process.
2. In those cases where formal consultation between FEMA and another Federal or State environmental agency is not required, no consultation with NPS is required.

#### ROLES AND RESPONSIBILITIES

##### For Category A Projects, FEMA will provide:

- A scope-of-work sufficient to understand the nature of each project and the area of potential effect;
- GPS coordinates and a USGS topographic map with the project location identified;
- One or more photographs of the project area, if available;
- The request for comment and site specific information will be transmitted to NPS designed point(s) of contact by e-mail or fax with appropriate attachments. This may be preceded by informal consultation by e-mail or phone to assess NPS interest. Designated NPS points-of-contact are: for DR-1895-MA Jamie Fosburgh; for DR-1904-CT Liz Lacy; and for DR 1892-NH Jim MacCartney.

##### For Category A Projects, NPS will:

- Provide initial notice by phone or e-mail of any projects of concern to facilitate adequate project reviews. NPS will attempt to provide such notice within 5 working days of receipt of information.
- Respond in writing to FEMA, providing either its comment that the project will have no adverse effect under the WSRA, and/or specific conditions on project implementation, or request further consultation to address specific issues. Written comments will be sent via e-mail attachments. Initial comments will be followed with a hard copy, if this is required as part of NPS protocol.

##### For Category B.1 Projects, FEMA and NPS will:

- FEMA will provide initial notice to the point-of-contact by phone or e-mail of any project that may be of concern to NPS with sufficient documentation to understand the project.

## Appendix 16. Example Protocol Agreement Between FEMA and NPS Regarding Wild and Scenic Rivers

- NPS will provide written notification by e-mail for any individual project NPS wishes to invoke review under the Wild and Scenic Rivers Act. NPS will attempt to provide such notification to FEMA within 5 working days of receipt of information.
- In those instances where NPS wishes to invoke Wild and Scenic River Act review, FEMA will forward the consultation package prepared for review by another Federal or State environmental agency for NPS review.
- NPS will respond in writing to FEMA, providing either its comment that the project will have no adverse effect under the WSRA, and/or specific conditions on project implementation, or request further consultation to address specific issues. Written comments will be sent via e-mail attachments. Initial comments will be followed with a hard copy, if this is required as part of NPS protocol.

**For Category B.2 projects, written sign-off from NPS will not be required.**

