

Region 3 (Minnesota, Wisconsin, Michigan, Iowa, Illinois, Indiana, Ohio, and Missouri) U.S. Fish and Wildlife Service Provides Online Tool Decision Process for CLOMR Applicants to Comply with ESA

The Federal Emergency Management Agency (FEMA) is responsible for complying with the Endangered Species Act (ESA) when it processes Conditional Letters of Map Revision (CLOMRs) or CLOMR-Fs (with Fill) for floodplain development projects in Special Flood Hazard Areas.

As part of the CLOMR application process, FEMA asks applicants to ensure that Endangered Species Act compliance has been achieved prior to submitting their CLOMR applications. FEMA's Procedure Memorandum 64 states "The CLOMR-F or CLOMR request will be processed by FEMA only after FEMA receives documentation from the requester that demonstrates compliance with the ESA."

Region 3 of the U.S. Fish and Wildlife Service developed a web site to help project proponents navigate this process and determine if their projects "may affect" listed species. CLOMR applicants in FWS can go to the section 7 Technical Assistance webpage (<http://www.fws.gov/midwest/endangered/section7/s7process/step1.html>) and follow the step-by-step process.

It is anticipated that many of the CLOMR projects within these states will not affect listed species. Thus, the U.S. Fish and Wildlife Service further developed a process on the website to assist applicants in quickly assessing whether their project will have "no effect" or "may affect". **This part of the step by step process is streamlined specifically for evaluating CLOMR projects http://www.fws.gov/midwest/endangered/section7/no_effect/fema3.html and will help applicants determine if their project meets the criteria for a "no effect" determination.**

For projects that will have no effect, the final step of the process is to fill out and print the determination so that it can be included with the CLOMR application to FEMA. "No Effect" determinations from the Region 3 website will be accepted as documentation of compliance with the ESA and will not require applicants to contact individual U.S. Fish and Wildlife Service Ecological Services Field Offices.

For projects that do not meet the "no effect" criteria, applicants are encouraged to continue with the step by step process and utilize the tools available on the website to evaluate projects before contacting the U.S. Fish and Wildlife Service for review.