



September 28, 2015

Eileen Sobeck
Assistant Administrator for Fisheries
NOAA Fisheries
1315 East-West Highway
Silver Spring, MD 20910

RE: Finalizing the National Marine Fisheries Service biological opinion for the Federal Emergency Management Agencies' implementation of the National Flood Insurance Program in the state of Oregon

Dear Ms. Sobeck,

We, the undersigned organizations, write to urge the National Marine Fisheries Service to finalize the biological opinion for the Federal Emergency Management Agency's implementation of the National Flood Insurance Program in the state of Oregon. Delay in completing the opinion is unwarranted, further jeopardizes listed species as well as communities that reside on floodplains, and is contrary to the urgency of recent federal actions to advance flood protection and resiliency.

The biological opinion is long overdue. The consultation process between the National Marine Fisheries Service (NMFS) and the Federal Emergency Management Agency (FEMA) began in 2011. A draft jeopardy opinion was released by NMFS in September 2013. In the last two years, NMFS and FEMA have sought to resolve differences related to land use measures for participants in the National Flood Insurance Program (NFIP). These differences should not be the basis for prolonging issuance of the opinion. Resolution of remaining issues should take place as part of the development of FEMA's implementation plan for the biological opinion. Further delay is unnecessary and is harmful to the endangered species NMFS is required to protect.

Delaying the opinion increases flood risk for NFIP communities and cost to taxpayers. NMFS's jeopardy opinion for the Puget Sound and the 2013 draft jeopardy opinion for the state of Oregon are based on well-known and established facts that the NFIP fuels harmful floodplain development, exposes families and businesses to flood risk and has cost the nation's taxpayers billions of dollars. Harmful floodplain development also undermines public and private investments in river restoration and flood protection. Continued delay exacerbates flood risk for

the 251 communities in Oregon the NFIP identifies as flood-prone. A final opinion will help communities seeking to develop in the floodplain to do so responsibly and without impacts to listed species and other NFIP communities.

Further delay is inconsistent with federal policy. Since Executive Order 11988 in 1977, agencies have been required to avoid, to the extent possible, the long- and short-term adverse impacts associated with the occupancy and modification of floodplains, and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative. However, growing awareness about the escalating frequency, risk and cost of major flood events and the potential impacts of climate change has prompted pressing action on the part of federal agencies and the administration, including Executive Order 13690 updating guidelines for floodplain development for federal projects. FEMA itself this year has made significant efforts to improve public safety and protect against flooding through coastal resiliency programs as well as through requiring states to address the flood-related impacts of climate change in their State Hazard Mitigation Plans. Further delay in releasing the opinion is inconsistent with the urgency with which other federal efforts are taking action to improve public safety.

National flood risk is rising in response to continued floodplain development. It is essential that federal agencies take steps to increase public safety, reduce costly flood damages and improve our nation's resiliency in the face of this reality. September is National Preparedness Month to raise awareness about the risk of natural disasters. As such, we urge you to finalize the biological opinion as a vitally important and timely step in the right direction to protect endangered species and NFIP communities.

We appreciate your agency's efforts to address the impacts of the NFIP and advance environmental protections that improve public safety.

Sincerely,

Bob Sallinger
Audubon Society of Portland

Michael Garrity
American Rivers

Elizabeth Ruther
Defenders of Wildlife

Monty Schmitt
Natural Resources Defense Council

Jim Murphy
National Wildlife Federation

Bob Rees
Northwest Steelheaders

Glen Spain
Pacific Coast Federation
of Fishermen's Associations

Brian Posewitz
WaterWatch of Oregon

Bob Van Dyk
Wild Salmon Center

CC: Christy Goldfuss, Council on Environmental Quality
Roy Wright, Federal Emergency Management Agency
Shaun Donovan, Office of Management and Budget