



FLOODS AND FISH

Pierce County has participated in the National Flood Insurance Program (NFIP) since 1974 in order to allow the citizens of Pierce County to buy flood insurance. The program requires that the county adopt and enforce minimum floodplain development regulations. In response to a 2004 federal court order, those development regulations are now also required to address environmental factors that are related to species listed under the Endangered Species Act.

Pierce County has been protecting fish and wildlife habitat and species since 1992 and currently does so through Title 18E – Development Regulations – Critical Areas. These regulations require that a habitat assessment be completed whenever a development proposal occurs near regulated habitat or species. If impacts to habitat or species are identified as a result of a proposal, Title 18E requires that the landowner try to avoid impacts. If avoidance is not possible, then the impacts need to be minimized and mitigation needs to be provided to offset the impacts.

The National Marine Fisheries Service (NMFS) recently completed an analysis of the NFIP and concluded that the Program increased the risk of impact to listed fish and marine mammal species. As a result, the Federal Emergency Management Agency (FEMA), the agency that oversees the NFIP, was required to change the manner in which the Flood Insurance Program is implemented in our region. This has caused local governments like Pierce County, to expand their project review requirements in order to demonstrate that no harm to listed species, or their associated habitat, will result from their land use regulations.

What This Means to You

If your project is located within areas identified by FEMA as “Protected Areas”, a County biologist will review your proposal and answer these seven “impact” questions

1. Does the project involve the removal of native vegetation?
2. Does the project include channel straightening?
3. Does the project result in habitat isolation?
4. Does the project include bank armoring?
5. Does the project reduce flood storage capacity?
6. Does the project result in degradation of water quality?
7. Will there be construction effects (noise or turbidity)?

There is no cost for this internal review. However, if it appears that one or more of these impacts will occur, you may be required to go through a formal habitat review process and you may be required to take steps to avoid, minimize, or mitigate for any impacts that are identified.