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**Notes ID:** 0083DBBB44A0644B86257A3900586E68

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**Delivered Date:** 07/10/2012 10:49 AM EDT

**Subject:** RE: New Bedford Harbor Superfund Site - wetlands and floodplain definitions

Good morning Bill

My thought is that the National Flood Insurance Program definition of floodplain is even more basic than the Executive Order definition. Per the NFIP, a floodplain is also called a flood-prone area and "means any land area susceptible to being inundated by water from any source". There is also a definition for flood, or flooding, which pretty much involves water and mud being someplace that it should not be. The NFIP does not bring flora or fauna into the mix.

It is my understanding that the Massachusetts wetlands regulations bring in the FEMA 100-year floodplain as part of the definition of wetlands. That may be why you are seeing a state entity not necessarily separating out wetlands plants and habitat from areas dealing with areas inundated by water that is not usually at that location.

Perhaps Rich Zingarelli or Tom Maquire can add something to the mix here that would make you more comfortable dealing with the review of Massachusetts projects mentioning wetlands in general rather than separating out lands subject to flooding specifically.

Thank you.

Dave

**David R. Knowles, P.E.**

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**From:** William Walshrogalski [mailto:Walshrogalski.William@epamail.epa.gov]

**Sent:** Friday, July 06, 2012 1:45 PM

**To:** Knowles, David

**Cc:** Ann Williams

**Subject:** RE: New Bedford Harbor Superfund Site

David:

Thanks for your help with my earlier question.

Right now I am trying to think through the ramifications of two projects with respect to the Executive Order on Floodplains, Executive Order 11988.

The Executive Order defines floodplain as follows:

Floodplain means the lowland and relatively flat areas adjoining inland and costal waters and other floodprone areas such as offshore islands, including at a minimum that area subject to a one percent or greater chance of flooding in any given year. The base floodplain shall be used to designate the 100 year floodplain."

In its proposal to EPA, Massachusetts describes the effects of various projects involving **salt marsh, intertidal habitat, and shallow subtidal habitat.**

It isn't clear to me how FEMA would apply its definition of "floodplain" to salt marsh, intertidal habitat, and shallow subtidal habitat.

Can you please give me guidance on how you would deal with those areas.

If you would prefer to do this by phone, my number is 617-918-1035. Thanks, Bill