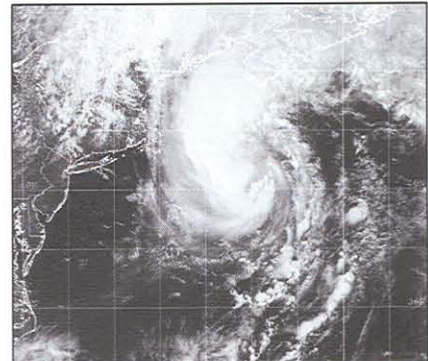




FEMA-1786/1792-DR-LA



As you endeavor to repair and rebuild your communities, environmental and historic preservation concerns may be the last thing on your mind. However, as with all federal funding, certain requirements related to the environment must be fulfilled. This brochure is provided to help you better understand the environmental and historic preservation factors that must be considered as you begin to apply for Federal Emergency Management Agency (FEMA) funding. The information and assistance described here will help avoid any undue environmental and historic preservation issues. The most important message we can give at the outset is that we are available to help you with all environmental requirements of the application process. Contained herein are facts, procedures, and contacts to help you through the process.



We ask that you identify any potential environmental or historic preservation concerns or problems and discuss these with our staff at the Louisiana Transitional Recovery Office (LA-TRO) as soon as possible. This will help FEMA address them effectively and expedite funding. We are coordinating closely with the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP). As the LA-TRO Environmental Liaison Officer, I pledge to assist you in understanding and complying with all federal and state environmental requirements. Please contact Ms. Cynthia Teeter or Ms. Katherine Zeringue, our Environmental and Historic Preservation Deputy Officers, for project specific questions or your Public Assistant Officer in the LA-TRO.



Sincerely,

Marc S. Roy
Environmental Liaison Officer
Louisiana Transitional Recovery Office

Environmental Laws and Project Requirements

The National Environmental Policy Act (NEPA) defines the primary environmental laws and executive orders that govern the

review process. The applicant is responsible for compliance with all applicable laws and regulations. Some projects with special historical or environmental issues will require additional consultation with FEMA and the appropriate state and federal agencies. It cannot be overemphasized that projects requiring an environmental review must be documented and approved prior to initializing any constructions or repair. Failure to comply with all applicable state and federal laws may jeopardize potential funding.

Federal Laws

- Endangered Species Act
- National Historic Preservation Act
- Clean Air Act
- Clean Water Act
- Executive Order for Wetland Protection
- Executive Order for Floodplain Protection
- Executive Order for Environmental Justice

Some Projects proceed without detailed review

- * Emergency Protective Actions and Debris Removal
- * Repairs to pre-disaster condition or temporary repairs (unless 45 years old)

Some Projects require an environmental review

- * Debris disposal
- * Where the footprint is different than pre-disaster conditions Involving hazard mitigation
- * Involving threatened or endangered species, wetlands or floodplains

Some Projects require review and consultation

- * Improved or alternate projects
- * Other projects where the scope of work has changed

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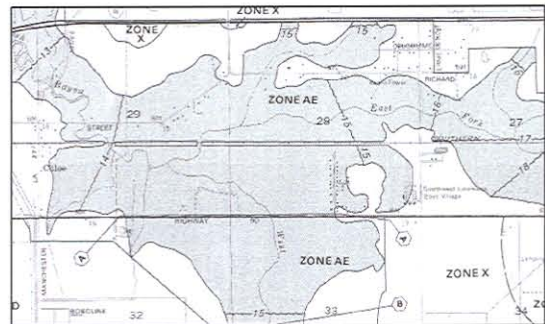


Waterways, Including Culverts and Bridges

Obtaining permits, prior to construction, is the responsibility of the project applicant. For any project involving work proposed or completed in a waterway, the applicant must notify and provide documentation of contact with the US Army Corps of Engineers (USACE). Repair to previously authorized serviceable structures deviating from their original dimensions in any way (i.e. size, length, depth, profile, type, etc.) may also require a new or modified permit from the USACE. The Clean Water Act and The U.S. Rivers and Harbors Act apply to actions proposed in or adjacent to waters of the US including wetlands. This includes any part of the surface affecting waters of the United States water tributary system (natural waters including small streams, lakes, and wetlands) as well as isolated man-made waters. The U.S. Army Corps of Engineers administers both laws. Examples of actions requiring permits include construction, demolition, or any dredging or filling in any part of surface water tributaries or systems including cutting roads, and repair of damaged facilities. For all culvert work, if no permit is required, at a minimum, signed documentation of a phone call is required and should be provided to the FEMA project officer.

Floodplains

FEMA reviews all projects that take place in the floodplain as required by Executive Order 11988. For major projects in a floodplain FEMA will provide the "8-Step" analysis which looks at and evaluates alternatives. The applicant would be responsible for publishing the final notice of a major proposed action. Project approvals and permits are often needed from the U. S. Army Corps and the local floodplain administrator. Some projects are exempt from floodplain review, including debris removal (*staging requires coordination with local floodplain administrator*) and repairs or replacements when the cost is under \$5,000.



Wetlands

Similar to floodplains, an "8-Step" process" is usually required whenever a proposed project will cause any modification to a wetland. FEMA will provide the "8-Step" analysis which looks at and evaluates alternatives. The applicant would be responsible for publishing the final notice of a major proposed action. Project approvals and permits are often needed from the U. S. Army Corps of Engineers. Debris is never to be stored in a wetland, not even temporarily. Debris removal and work involving wetlands should be coordinated with the U. S. Army Corps and the U.S. Fish and Wildlife Service.



Threatened and Endangered Species

Projects which have the potential to impact threatened or endangered species must be coordinated, and impacts avoided, under the Endangered Species Act. If your project dwells within a natural area or a streambed, your potential to adversely affect endangered species greatly increases. Be sure to alert your FEMA Project Officer of projects in close proximity to these areas. For a full listing of Louisiana endangered species and locations please consult the following website provided by the United States Fish and Wildlife Service.
<http://www.fws.gov/southeast/maps/la.html>

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Historic Preservation and Tribal Relations

Some historic resources are very obvious, others are not. FEMA staff are technical experts in identifying historic resources and will make sure that your project is in compliance with the National Historic Preservation Act. Any structure (e.g. buildings, walls, bridges, and culverts) 50 years or older may be eligible for the National Register of Historic Places. These structures must be reviewed by FEMA in conjunction with the LA State Historic Preservation Office (SHPO). Archaeological resources also require special attention. Any proposed project which impacts a recorded archeological site and/or previously undisturbed area (e.g. relocating a utility, road realignment, a material borrow area for construction, or preparation of debris staging, stockpiling or burning sites) must be reviewed by FEMA, the SHPO, and other federal agencies as necessary including the Tribal Historic Preservation Office (THPO for tribal) for archeological concerns. Land that has been plowed or used for agriculture is not considered previously disturbed and must be evaluated. It is important to document a potential historic or archaeological resource with clear color photos, precise location information, and facts about the history of the structure or the area and bring it to FEMA's attention before you begin work. Other historic and cultural resources that may be eligible for FEMA assistance are collections found in museums, archives, libraries, zoos and aquariums. If you are a private-non-profit institution and have collections that were damaged as a result of a disaster, please bring them to FEMA's attention. FEMA may be able to help with the cost of stabilizing or replacing damaged objects and animals.



Debris Disposal and Hazardous Materials



For any debris removals projects, applicants are required to complete an "Emergency Debris Management Request Form" and "Ground Disturbing Form" to self certify disposal method, which is attached. For staging of debris Louisiana Department of Environmental Quality (LDEQ) and LA SHPO will need to give approval for temporary and/or permanent storage of debris outside of a certified or properly licensed landfill. No contact, approval, or permits are needed to take any debris to a certified landfill. Debris burning is governed by the LDEQ. If sandbagging has been used, it should be determined if they have become contaminated. If so, they must be disposed of in a licensed landfill. Asbestos accreditation and disposal approvals may be needed for building demolition. For these situations, an applicant should contact the LDEQ.

Other Considerations

Hazard mitigation projects help to reduce or eliminate the threat of future damages. Retrofitting for wind damage or elevating for flood protection are examples. All hazard mitigation projects will be subject to a thorough review by FEMA as they usually involve ground disturbance or alter a project's footprint.

Projects involving any ground disturbance outside previously disturbed footprint, even if within the Rights of Way (including facility realignment, borrow areas, utility burial, utility pole replacement, access roads, etc.), may require archaeological review prior to construction.

Environmental Justice Executive Order 12898 was created to minimize negative health or environmental impact of any project on minority and low-income populations. All projects are examined to avoid these impacts. EO12898 also assures that FEMA will not exclude any persons or populations from benefits because of race, color, or national origin.

Contacts

This publication presents an overview of the many laws and requirements for environmental clearance of FEMA Public Assistance projects. There are many other details not here that may prove useful for environmental compliance. The FEMA staff in the LA-TRO is available to answer any questions you may have and to direct you to other resources that may be needed to ensure that all environmental and historic preservation considerations are explored for FEMA funded projects.

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Asbestos questions and concerns:

Louisiana DEQ

Jodi Miller
(225) 219-0789
jodi.miller@la.gov

or

Kathryn Berry
(225) 219-3268
kathryn.berry@la.gov

or

DEQ Hotline
(225) 342-1234

Threatened and endangered species questions and concerns:

US Fish and Wildlife Service

Deborah Fuller
Desk (337) 291-3134
Fax (337) 291-3139

or

National Marine Fisheries Service

Eric Hawk
Section 7 Coordinator
Desk (727) 824-5312
Fax (727) 824-5309
eric.hawk@noaa.gov

or

Louisiana Department of Wildlife and Fisheries

Mike Carloss
Desk (225) 485-5542
Fax (225) 765-2452

Coastal Zone Management Act (CZMA) questions and concerns:

Louisiana Department of Natural Resources

Rocky Hinds
Desk (225) 342-7998
Fax (225) 342-9439
(800) 267-4019

rockyh@dnr.state.la.us

Gustav images provided
by:http://www.nrlmry.navy.mil/tc_pages/tc_home.html

Debris image provided by:
Danny McDonald Region 4 Debris Specialist

All other images provided by Louisiana Department of
Culture, Recreation and Tourism

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Emergency Debris Management Site Request Form

Government Entity (Parish, City, or Town) _____

Mailing Address _____

City, State, ZIP _____

Telephone _____ FAX _____

Contacts (Governing Entity) _____

(Site Operations – if known) Name: _____ Phone: _____

Type of Activity:

Staging (specify type of debris) _____

Chipping & Grinding Area (vegetative debris)

Burn Area (note if air curtain destructor)

Construction/Demolition Debris Disposal

Woodwaste Disposal

Other Activities _____

Requested Time Span for Activities _____

Proposed Hours of Operation: _____

Location of Site (Latitude, Longitude – decimal form if available) _____

Physical Location (Street, Highway, etc.) _____

Owner of Property (name /phone number / mailing address) _____

Environmental Characteristics of Location (state if site was previously authorized) _____

Signature-Authorized

Date

Parish or City Official

Telephone Number

Please Note: Approval must be obtained from the affected property owner prior to commencement of operation.

Provide a quad map delineating the area to be utilized as the site. **Mail or Fax** this completed form and map to:

Linda Brown (Linda.brown@la.gov)
Louisiana Department of Environmental Quality
P.O. Box 4313 - Baton Rouge, LA 70821-4313
FAX: 225-325-8236 Questions: 225-219-3974

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REQUIREMENTS FOR DEBRIS ACTIVITIES INVOLVING GROUND DISTURBANCE FEMA-1786-DR-LA, FEMA-1792-DR-LA

If the creation or use of this emergency burning, processing, staging and/or stockpiling site will include **ground disturbance**, including the creation of temporary access roads, burying of debris or burn residual, or will impact structures over 45 years old, the applicant must coordinate with, and receive comments from, the Louisiana Office of Cultural Development, State Historic Preservation Office (SHPO), prior to the start of any ground disturbance.

It is the applicant's responsibility to mail or Fax this certification to Duke Rivet, at the SHPO for approval regarding all ground disturbance activities. The applicant must attach this certification to their Public Assistance Project Worksheet (PW) as part of the file's permanent documentation.

Individual certifications are required for each burning, burial, disposal, and/or staging or stockpiling site.

- Attach a map, in addition to this form, preferably a copy of a USGS 7.5 minute series quadrangle map with the project site location clearly identified.
- Identify the following Township_____ Section_____ Range_____ for the project site location.

APPLICANT'S AUTHORIZED REPRESENTATIVE

DATE

Louisiana State Historic Preservation Officer

I certify that the above referenced site:

- Is not located on any known archeological site or historical property.
- Is located on an archeological site and an alternate area needs to be considered.

SHPO OFFICIAL

DATE

Louisiana Office of Cultural Development
State Historic Preservation Office
ATTN: Duke Rivet
P.O. Box 44247
Baton Rouge, Louisiana 70804-4242
Telephone: (225) 342-8170
Fax: (225) 342-4480