

PUBLIC NOTICE

Louisiana FEMA-4817-DR

The Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to reimburse eligible applicants on eligible costs for assistance to repair and/or replace facilities damaged by Hurricane Francine (4817-DR-LA), from September 9 to September 12, 2024. This notice applies to the Public Assistance (PA), Individual Assistance (IA), and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207.

Under a major disaster declaration (FEMA-4817-DR-LA) incident beginning September 9, 2024, signed by the President on September 16, 2024, and amended September 23, 2024, and October 15, 2024, FEMA is authorized to identify, mobilize, and provide at its discretion, equipment and resources necessary to alleviate the impacts of the disaster. FEMA is authorized to provide federal funding for debris removal and emergency protective measures (Categories A and B) including direct federal assistance. The parishes of Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. Helena, St. James, St. John the Baptist, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, and West Feliciana are authorized for PA Category A (debris removal) and Category B (emergency protective measures) assistance.

Parishes authorized for PA Categories C – G assistance, the repair or replacement of disaster-damaged facilities, include these twenty (20) parishes: Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, Jefferson, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. Helena, St. Martin, St. Mary, St. Tammany, Tangipahoa, Terrebonne, Washington, and West Feliciana. Additional parishes may be designated at a later date. All parishes in the State of Louisiana are eligible for HMGP under FEMA-4817-DR- LA.

Under FEMA-4817-DR-LA the following parishes have been designated eligible for IA: Ascension, Assumption, Jefferson, Lafourche, St. Charles, St. James, St. John the Baptist, St. Mary, and Terrebonne. Additional parishes may be designated at a later date.

This public notice concerns activities that may affect historic properties, activities that are located in or affect wetland areas or the 100-year floodplain, and critical actions within the 500-year floodplain. Such activities may adversely affect the historic property, floodplain or wetland, or may result in continuing vulnerability to flood damage.

Presidential Executive Orders 11988 and 11990 require that all federal actions in or affecting the floodplain or wetlands be reviewed for opportunities to relocate, and be evaluated for social, economic, historical, environmental, legal and safety considerations. Where there is no opportunity to relocate, FEMA is required to undertake a detailed review to determine what measures can be taken to minimize future damages. The public is invited to participate in the process of identifying alternatives and analyzing their impacts through this notification.

On July 11, 2024, FEMA published a Final Rule in the Federal Register and an updated policy that revises regulations to fully implement the Federal Flood Risk Management Standard (FFRMS). The Final Rule and FEMA policy became effective on Sept. 9, 2024. The FFRMS was established to encourage federal agencies to consider and manage current and future flood risks in order to build a more resilient nation. This rule expands the floodplain of concern from the 100-year floodplain (and 500-year floodplain for critical actions) to a newly defined “FFRMS floodplain.” The FFRMS floodplain is an expanded area both

horizontally and vertically from the 100-year floodplain (and 500-year floodplain for critical actions) that addresses current and future floods. The FFRMS applies to federally funded projects where Federal funds are used for new construction, substantial improvement, or to address substantial damage to structures and facilities. FFRMS also applies to FEMA funded Hazard Mitigation Assistance projects for structure elevation, mitigation reconstruction, and dry floodproofing. There are several different approaches to establish the FFRMS floodplain. Additional details on this Policy can be found at the [FEMA FFRMS webpage](#).

FEMA has determined that for certain types of facilities there are normally no alternatives to restoration in the floodplain/wetland. These are facilities that meet all of the following criteria: 1) FEMA's estimate of the cost of repairs is less than 50% of the cost to replace the entire facility, and is less than \$100,000; 2) the facility is not located in a floodway; 3) the facility has not sustained major structural damage in a previous Presidentially declared flooding disaster or emergency; and 4) the facility is not critical (e.g., the facility is not a hospital, generating plant, emergency operations center, or a facility that contains dangerous materials). FEMA intends to provide assistance for the restoration of these facilities to their pre-disaster condition, except that certain measures to mitigate the effects of future flooding or other hazards may be included in the work. For example, a bridge or culvert restoration may include a larger waterway opening to decrease the risk of future washouts.

For routine activities, this will be the only public notice provided. Other activities and those involving facilities that do not meet the four criteria are required to undergo more detailed review, including study of alternate locations. Subsequent public notices regarding such projects will be published, if necessary, as more specific information becomes available.

In many cases, an applicant may have started facility restoration before federal involvement. Even if the facility must undergo detailed review and analysis of alternate locations, FEMA will fund eligible restoration at the original location if the facility is functionally dependent on its floodplain location (e.g., bridges and flood control facilities), or the project facilitates an open space use, or the facility is an integral part of a larger network that is impractical or uneconomical to relocate, such as a road. In such cases, FEMA must also examine the possible effects of not restoring the facility, minimize floodplain/wetland impacts, and determine both that an overriding public need for the facility clearly outweighs the Executive Order requirements to avoid the floodplain/wetland, and that the site is the only practicable alternative. State of Louisiana and local officials will confirm to FEMA that proposed actions comply with all applicable State and local floodplain management and wetland protection requirements.

Presidential Executive Order 12898, Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, directs each federal agency to avoid disproportionate and high adverse human health or environmental effects to low-income and minority populations. FEMA aims to identify low income and minority communities at the onset of a declared event to gain better understanding of how response and recovery efforts, including mitigation may impact such groups and communities. Additionally, once low income and minority communities have been identified, FEMA aims to minimize any potential adverse impacts to those communities through encouraging alternative selection of response and recovery actions including HMGP projects.

FEMA intends to provide IA program funding for disaster-related housing. These actions may adversely affect a floodplain or wetland or may result in continuing vulnerability to floods. These actions may include repair, restoration, or construction of housing or private bridges, purchase and placement of travel trailers or manufactured housing units, or repair of structures as minimum protective measures. This will be the only public notice concerning these actions.

FEMA also intends to provide HMGP funding to the State of Louisiana to mitigate future disaster

damages. These projects may include construction of new facilities, modification of existing facilities, undamaged facilities, relocation of facilities out of floodplains, demolition of structures, or other types of projects to mitigate future disaster damages. In the course of developing project proposals, subsequent public notices will be published, if necessary, as more specific information becomes available.

The National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. Those actions or activities affecting buildings, structures, districts or objects 50 years or older or that affect archaeological sites or undisturbed ground will require further review to determine if the property is eligible for listing in the National Register of Historic Places (Register). If the property is determined to be eligible for the Register, and FEMA's undertaking will adversely affect it, FEMA will provide additional public notices. For historic properties not adversely affected by FEMA's undertaking, this will be the only public notice.

Interested persons may obtain information about these actions or a specific project by writing to Tiffany Spann-Winfield, Environmental Historic Preservation Advisor (EHAD), Federal Emergency Management Agency, 1500 Main St., Baton Rouge, LA 70802 or by emailing fema-liro-ehp-pa@fema.dhs.gov. Comment period begins on Wednesday, October 30, 2024, and concluding on November 29, 2024, at 4pm.

Comments should be sent in writing within 30 days of the date of this notice.