



FEMA

September 23, 2006

Johnny Gonzales
GOHSEP PAO
FEMA-1603-DR-LA
415 N. 15th Street
Baton Rouge, Louisiana 70802

RE: Alternative Arrangements, Reconstruction of Critical Infrastructure in the New Orleans Metropolitan Area, Municipal Yacht Harbor Boat Houses, City of New Orleans, PW#: 11803, DR-1603-LA, PA ID: 071-55000-00

Dear Mr. Gonzales:

The purpose of this letter is to notify you that the Public Assistance project for Municipal Yacht Harbor Boat Houses, 5420 Breakwater Drive, New Orleans, 70124, (30.02858N, 90.11565W), qualifies for the National Environmental Policy Act (NEPA) Alternative Arrangements for the Reconstruction of Critical Infrastructure in the New Orleans Metropolitan Area.

Under the regular Federal Emergency Management Agency (FEMA) NEPA review process; this project would have qualified for categorical exclusion in accordance with 44 CFR Part 10.8(d)(2)(xv). However, due to the unprecedented number of grants requested that need to be processed in a short time, the potential cumulative effects, and potential environmentally-related socio-economic effects of FEMA's funding in the New Orleans Metropolitan Area, FEMA has determined that this type of action may have significant impacts that cannot be reviewed under the normal Environmental Impact Statement (EIS) process. FEMA, the Department of Homeland Security (DHS), and the Council on Environmental Quality (CEQ) have adopted the Alternative Arrangements to address the basic elements of NEPA under these circumstances. For more information visit www.fema.gov/plan/ehp/noma/index.shtm.

While the use of Alternative Arrangements meets NEPA compliance requirements, there are requirements of other Environmental and Historic Preservation (EHP) laws and executive orders that must be individually complied with. For the work described in this Project Worksheet (PW) the following conditions relating to those requirements apply:

- The City of New Orleans/Orleans Parish is enrolled in the National Flood Insurance Program (NFIP) as of 08-03-70. As per Flood Insurance Rate Map (FIRM) panel number 2252030095 E dated 03-01-84, project is located within a V16 zone, area of 100-yr coastal flooding with velocity (wave action), base flood elevations and flood hazard factors determined. The project is the repair of building and the replacement of equipment and components, as per 44 CFR 9.11, mitigation or minimization standards must be applied. Where possible, building contents, materials, and equipment (mechanical or electrical) must be elevated to or above Advisory Base Flood Elevations. In compliance with E.O. 11988, an 8-step process was completed and is attached. Per 44 CFR 9.12, applicant must publish a final public notice 15 days prior to the start of construction activities. Final public notice is to be forwarded to the LAGOHS/OEP and FEMA for inclusion in the permanent project files.
- Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the

project applicant shall handle, manage, and dispose of petroleum products, hazardous materials and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

- The applicant is responsible for coordinating with and obtaining any required Section 404 permit(s) from the United States Army Corps of Engineers (USACE) prior to initiating work. The applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- This project is located within the Louisiana Coastal Management Zone. LA DNR has determined that receipt of Federal assistance is consistent with the Louisiana Coastal Resource Program. Projects within the Coastal Zone may still require a Coastal Use Permit or other authorization from DNR. Projects may be coordinated by contacting LA DNR at 1-800-276-4019.
- The applicant shall ensure that Best Management Practices are implemented to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. This includes equipment storage and staging of construction to prevent erosion and sedimentation to ensure that wetlands are not adversely affected per the Clean Water Act and Executive Order 11990.
- In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana Parishes of Calcasieu, Cameron, Jefferson Davis, Orleans, Jefferson, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, Tangipahoa and Washington are under quarantine. The movement of wood or cellulose material, temporary housing or architectural components (e.g. beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the Commissioner of the Louisiana Department of Agriculture and Forestry or his designee(s).
- FEMA's Programmatic Agreement (PA), dated December 3, 2004, provides for expedited project review under Section 106 of the National Historic Preservation Act (NHPA). The scope of work as submitted in this PW has been reviewed and meets the criteria outlined in Appendix A, Programmatic Allowances, section I.J, II.A-1, II.A-2, II.B-1, II.E-1, II.F-2. and II.H-1 of the document. In accordance with the PA, FEMA is not required to determine the National Register eligibility of properties or to submit projects to the State Historic Preservation Officer (SHPO) for review where the work performed meets these allowances. In keeping with the stipulations of the PA, all proposed repair activities should be done in-kind to match existing materials and form. Any change to the approved scope of work will require resubmission for re-evaluation under Section 106 and consultation with the SHPO. Non-compliance may jeopardize the receipt of Federal funding. This concludes the Section 106 review for this project.
- This project involves the demolition or renovation of a public structure. Regardless of the asbestos content, the applicant is responsible for ensuring that renovation or demolition activities are coordinated with the Louisiana Department of Environmental Quality (LDEQ) in accordance with the LDEQ "Seventh Amended Declaration of Emergency and Administrative Order" dated August 24, 2006, incorporating the provisions of EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) and the Louisiana Administrative Code (LAC) 33.iii.5151 and Chapter 27. Should Asbestos Containing Materials (ACMS) be present at the project site, the applicant is also responsible for ensuring proper disposal in accordance with the previously referenced Administrative Order.

Johnny Gonzales
September 23, 2006
Page 2

Please note that this transmittal is a notification that this project has been cleared under NEPA only. **This is not a notice of final approval or eligibility.** Any change beyond the approved scope of work for this project will require additional environmental review by FEMA.

Sincerely,



WM FAGAN for:

Howard R. Bush
Environmental Liaison Officer
FEMA-1603/1607-DR-LA

Enclosures: PW 11803

Cc: Oliver Mack, FEMA DPAO for Grants