

SHPO Consultation

STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

September 28, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Cynthia B. Bailey
FEMA
1555 Eastern Boulevard
Montgomery, Alabama 36117

Re: AHC 07-1312
WWTP & Infrastructure
Bayou La Batre
Mobile County, Alabama

Dear Ms. Bailey:

Upon review of the information forwarded by your office and our earlier evaluation, we have determined that we continue to concur with the proposed activities.

We appreciate your efforts on this project. Should you have any questions, my point of contact for this matter is Greg Rhinehart at (334) 230-2662. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,



Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/GCR/gcr



FEMA

September 17, 2007

Colonel (Ret.) John A. Neubauer, Executive Director
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36130-0900

Re: Request for Project Review – City of Bayou La Batre Relocation of Wastewater Treatment Plant, Effluent and Influent Lines, Outfall Structure and Lift Station, and Alternative Housing Pilot Program Safe Harbor Landing and Safe Harbor Estates

The City of Bayou La Batre (City) has applied to the Federal Emergency Management (FEMA) for assistance under the Alternative Housing Pilot Program (AHPP) and Hazard Mitigation Grant Program (HMGP) to assist in the redevelopment of the City's housing and domestic and industrial wastewater infrastructure following extensive damages incurred by Hurricane Katrina. The City proposes to utilize FEMA funding to supplement the City's applications for assistance under the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG).

On August 29, 2005, Hurricane Katrina's storm surge impacted the City of Bayou La Batre, severely damaging the City's existing municipal wastewater treatment plant (WWTP) and infrastructure and residential community. Damages incurred by Katrina left the WWTP running at a reduced capacity and hundreds of residents requiring FEMA temporary trailers. In efforts to promote redevelopment, the City has applied to HUD for assistance under CDBG for:

- The demolition and relocation of the existing WWTP, located at 285 State Docks Road, out of the coastal high hazard area (Flood Zone VE) to a site located at 14575 Railroad Street; and,
- The land acquisition and installation of infrastructure to a 39-acre site (Safe Harbor Estates) located at the intersection of Shine Road and State Highway 188 in Bayou La Batre for the development of affordable housing.

In order for the new WWTP to be a functional system, new influent lines and a new effluent pipe that would discharge into Portersville Bay would be constructed. Figure 1 shows the location of the proposed project components.

The City proposes to utilize FEMA's HMGP funding for the installation of flood mitigation measures at the proposed new WWTP. Mitigation measures include the elevation of the facility to the 500-year floodplain requirements, minor flood control measures to protect the new WWTP, and construction of a new sewer pumping station (lift station) in the location of the existing WWTP.

The City has also requested assistance from FEMA's AHPP for the acquisition and development of a 13-acre parcel (Safe Harbor Landing) located adjacent to the Safe Harbor Estates site. FEMA AHPP funds would also be utilized for the placement of AHPP housing units on both housing sites. As the components funded by HUD are connected to the proposed actions that would be funded by FEMA,

the environmental impacts of all related project components are being evaluated in a comprehensive Environmental Assessment that is being prepared by FEMA.

All components of this project have undergone a Phase I Cultural Resources Survey, and reports have been prepared with determinations of impacts to cultural resources. In addition, consultation with your agency has occurred on the following components of this project:

- Attachment 1 – SHPO response letter dated August 27, 2007, stating that project activities resulting from development of the 20-acre parcel on Shine Road (which includes the 13-acre Safe Harbor Landing project site) will have no adverse effect on cultural
- Attachment 2 – Letter from Joe Mehaffey dated March 28, 2007, regarding the Proposed Wastewater Treatment Plant, Influent and Effluent Lines, and Outfall Structure; SHPO response letters dated May 23 and May 8, 2007 (this correspondence is preceded by a July 19, 2007, letter from Harriet Seacat of the University of South Alabama clarifying the project name as submitted in the Phase I report referenced in those letters)
- Attachment 3 – Letter from Janey Galbraith dated September 28, 2006, regarding the CDBG Project Number 06-005, Development of the 39-acre parcel on Shine Road; SHPO response letter dated October 24, 2006

For all components of the project, FEMA agrees with the conclusions stated in your agency's consultation letters – a finding of no adverse effect on cultural resources eligible for or listed in the National Register of Historic Places.

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, FEMA requests that your agency review the entire proposed project and consultation conducted to date and provide comments and any available information on resources under your agency's jurisdiction within the project area. If you have any questions or need additional information, please contact me by telephone at (334) 409-4627 or electronic mail at cynthia.b.bailey@dhs.gov.

Sincerely,



Cynthia B. Bailey
Environmental Liaison Officer
FEMA-1605-DR-AI.

Enclosures as noted

Attachment 1

STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

August 27, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Janey Galbraith
Galbraith & Associates, LLC
7770 Country Squire Drive
Mobile, Alabama 36695

Re: AHC 2007-0918
CRA, Residential Development
20 Acres on Shine Road
Mobile County

Dear Ms. Galbraith:

Upon review of the cultural resource assessment conducted by University of South Alabama for the above referenced project, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities. Please disregard our letter of June 26th, as this contained numerous typographical errors.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Amanda Hill at 334-230-2692. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,



Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/AMH/amh

STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
408 SOUTH PLINY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

June 26, 2007

TEL: 334-242-3164
FAX: 334-240-3477

Ms. Janey Galbraith
Galbraith & Associates, LLC
7770 Country Squire Drive
Mobile, Alabama 36695

Re: AHC 2007-0918
Residential Development, 8 Acres, Shrine Road
Mobile County

Dear Ms. Galbraith:

Upon review of the cultural resource assessment conducted by Galbraith & Associates, LLC for the above referenced project, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Clarissa Williams at 334-230-2672. Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,



Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

JAN/AMH/cjw

UNIVERSITY OF SOUTH ALABAMA

COLLEGE OF ARTS AND SCIENCES
CENTER FOR ARCHAEOLOGICAL STUDIES



TELEPHONE: (251) 460-6911
HUMB 34 • MOBILE, ALABAMA 36688-0002
FAX: (251) 460-6080
E-mail: gwasekox@jaguar1.usouthal.edu

July 19, 2007

To Whom It May Concern:

This letter is to inform FEMA officials that the report entitled "A Phase I Cultural Resources Assessment for a Proposed 16-Acre Residential Development Located Northwest of the Intersection of Railroad Street and Barrett Lane, Bayou La Batre, Mobile County, Alabama" submitted by the Center for Archaeological Studies, University of South Alabama on January 24, 2007, to the City of Bayou La Batre was erroneously titled. The title should have read "A Phase I Cultural Resources Assessment for a Proposed 16-Acre Wastewater Treatment Plant Development Located Northwest of the Intersection of Railroad Street and Barrett Lane, Bayou La Batre, Mobile County, Alabama." The first paragraph within the report clearly states, "The City of Bayou La Batre is presently seeking permits to construct a waste water treatment plant." The archaeologists involved in the project were well aware of the proposed development and its location; however, the report was titled in error. The Alabama Historical Commission examines the survey methods and results, as well as the maps, which were performed and indicated in the correct location.

Thank you for the opportunity to rectify this mistake. Please contact me directly if you have any remaining questions.

Sincerely,

A handwritten signature in cursive script that reads "Harriet L. Richardson Seacat".

Harriet L. Richardson Seacat
Archaeologist II
251-460-7769 (desk)
251-460-6080 (fax)
hrseacat@jaguar1.usouthal.edu

HUMB 34
307 N. University Blvd.
University of South Alabama
Mobile, AL 36688



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

May 23, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Donna Gainey
City of Bayou La Batre
13785 South Wintzell Avenue
Bayou La Batre, Alabama 36509

Re: AHC 07-0755
Cultural Resource Assessment
16 Acre Residential Development
NW of Intersection of Railroad Street & Barrett Lane
Town of Bayou La Batre
Mobile County, Alabama

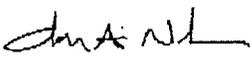
Dear Ms. Gainey:

Upon review of the cultural resource assessment conducted by the University of South Alabama, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. These include but are not limited to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are postholes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your efforts on this project. Should you have any questions, my point of contact for this matter is Greg Rhinehart at (334) 230-2696. Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,


Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

JAN/GCR/gcr



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

May 8, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Jof Mehaffey
Goodwyn, Mills & Cawood, Inc.
P.O. Box 242128
Montgomery, Alabama 36124

Re: AHC 2007-0652
Cultural Resources Assessment
Wastewater Treatment Plant
Bayou La Batre
Mobile County

Dear Mr. Mehaffey:

Upon review of the terrestrial and maritime cultural resource assessments conducted for the above referenced project, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places provided the underwater anomalies are avoided, as stated in the text. With this stipulation, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Amanda Hill at 334-230-2692. Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,

Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

JAN/AMH/amh

Attachment 2

Engineering

Architecture

Environmental

Landscape

Surveying

GOODWYN, MILLS AND CAWOOD, INC.



March 28, 2007

Ms. Amanda Hill
State of Alabama
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36130-0900

RE: Proposed Wastewater Treatment Plant, Lift Station, Influent Line, Effluent Line & Outfall Structure
T-7-S, R-3-W, Sec. 38
T-8-S, R-3-W, Sec. 3 & 4
Mobile County, Alabama

Dear Ms. Hill:

The City of Bayou La Batre with the assistance of Goodwyn, Mills & Cawood, Inc. is in the process of seeking funding from the U.S. Department Housing Urban Development (HUD) for the above referenced project. The project is assessing the environmental impacts of constructing a wastewater treatment plant, lift station, influent line, effluent line, and outfall structure in Mobile County, Alabama.

Enclosed please find the drawing (Figure 1) depicting the boundary for the proposed project. The proposed wastewater treatment plant will be constructed on a former spoil, which was operated by the US Army Corps of Engineers. The spoil site can be further described as spoil site "Charlie". The proposed disturbance area for the treatment plant will be around thirteen (13) to fifteen (15) acres. Also, a lift station, influent, effluent and outfall lines will be constructed. The lift station will be constructed within the existing limits of the Bayou La Batre wastewater treatment plant site. Approximately, 7,000± linear feet of influent line will be installed, while the effluent and outfall structure will total around 12,000± linear feet. Both the influent line and the effluent line will be constructed in existing right-of-way. Please note that approximately 5,600± feet of the proposed outfall structure will be constructed within Portersville Bay.

Two surveys were conducted for this project. A remote sensing survey of the proposed outfall line in Portersville Bay was conducted by Panamerican Consultants, Inc. In addition, a Phase I Cultural Resources Assessment was conducted by the Center for Archeological Studies at the University of South Alabama.

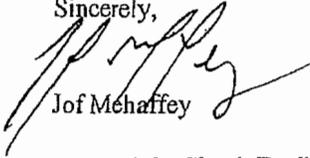
Small anomalies were identified within the proposed outfall alignment, however the project engineers do not object to moving the outfall line to the proposed avoidance realignment identified in the document. An anticipated disturbance width of 20 to 30 feet will be required in this area; therefore no impacts to the identified anomalies will likely occur.

- Steve Cawood, PE
David B. Reed, PE, PLS
William E. Wallace, AIA
Galen Thackston, PE
Jeffrey A. Brewer, AIA
John W. Baik, Jr., VP Marketing
George T. Goodwyn, PE, PLS
Demi Strickland, PE
H. Burns Whittaker, PE
Wasley Self, PE
Chris Eckroate, PE
Chuck Faulkner, PE
Kevin Wales, PE
Bob Carter, PE
Burt Hankins, PE, PLS
Heath Read, PE
Ronald Windham, PE
Jeffrey A. Harrison, PE
Euel Screws, PE
Andy Perry, PE
Jeff Fennell, PE
Cedric Campbell, PE
Josh Pierce, PE
Meredith Holzer, PE
J. Coleman Williams, PE
Victor Apodaca, PE, PLS
Keith Strickland, PE
T. Shane Sawyer, PE
Walter Scott, PE
Joseph Jones, PE
Greg Ryland, PE
Kevin Laird, PE
Findley Frazer, PE
Michael Cain, PE
Bruce Bodner, PE
T. Drew Hennessy, PE
Bartley Teft, PE
David K. Parker, PE
Jeremy Sasser, PE
John Averett, PE
Lee Walters, PWS
James Robinson, PG
Tracy A. Bessett, AIA
Freddie E. Lynn, Jr., AIA
Christopher S. Engel, AIA
Michael Hamrick, AIA
James C. Bagley, AIA, CCS, CSI
Lance P. Bellenger, AIA, CSI
Merk D. Tiller, AIA
Gery L. Owen, Jr., AIA
Daniel E. Woods, AIA
Jacquelyn Hert, IIDA
Jonathan A. Larson, AIA
Marty Reid, AIA
Carla Young, AIA
Jim Walker, AIA
Vicki Loyd, AIA
Mark Coyle, AIA
Jennifer Bricken, ASID
Susan McGellagher, AIA
Trent Catron, NCIDQ
Ellen Johnson, NCIDQ
Cathryn C. Gerachis, ASLA
Hep Kern, ASLA
John Bricken, ASLA
Roy Jones, PLS
Edward James Niel, PLS
Jerry Peery, PLS
Rick Clay, PLS
Kris Flaherty, PLS
Adam Ingram, PLS
Judy Jones, SRWA

Table with 6 columns and 2 rows of contact information for various office locations including addresses, phone numbers, and fax numbers.

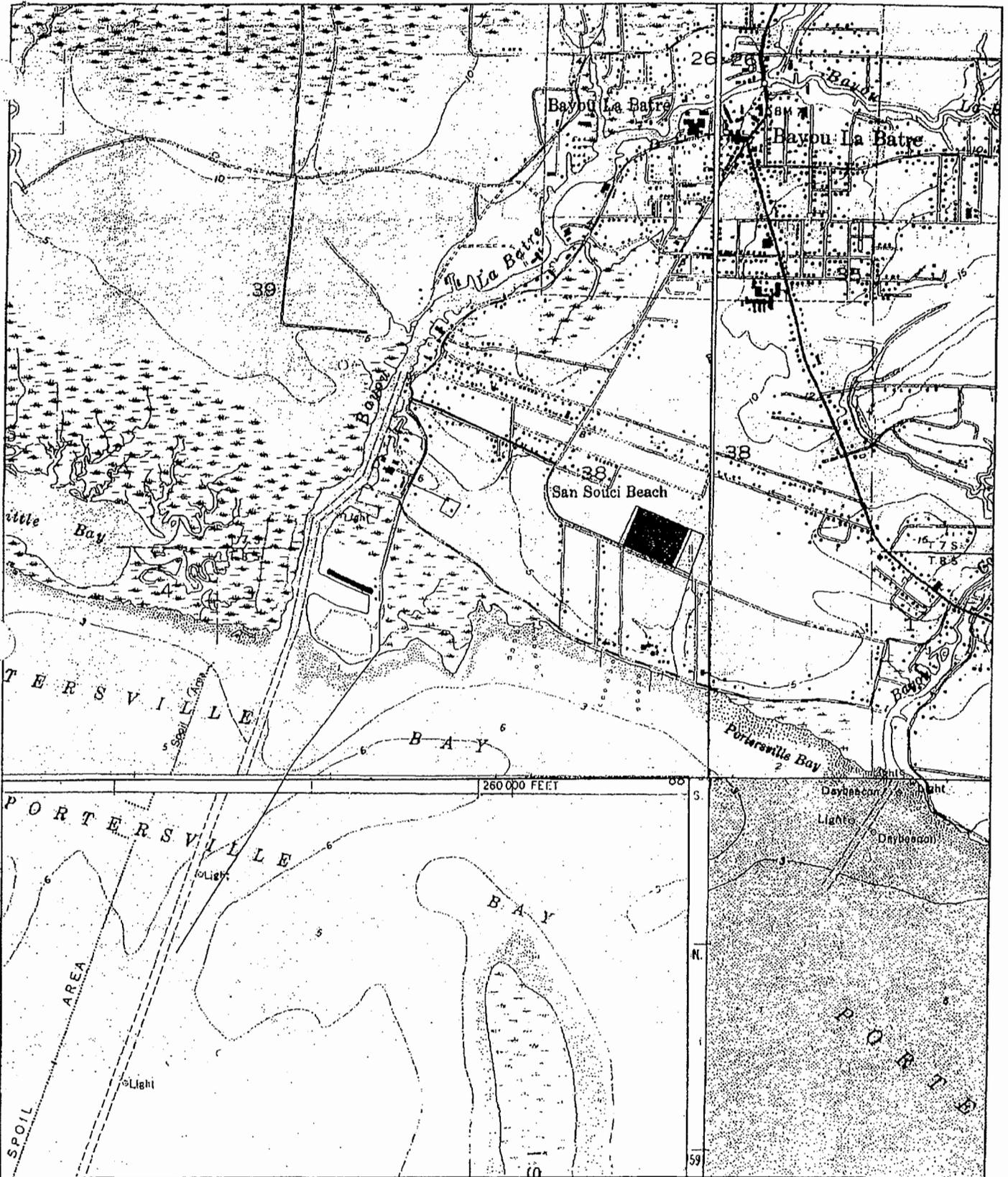
We are seeking concurrence for the project as part of the HUD agency concurrence process. We would appreciate a response as soon as possible. If you need any further information or wish to discuss the project, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Jof McHaffey". The signature is written in a cursive style with a long, sweeping underline.

Jof McHaffey

cc: Mr. Chuck Faulkner, P.E., Goodwyn, Mills & Cawood, Inc.
Mr. Hassey Brooks, Biologist, Goodwyn, Mills & Cawood, Inc.
Enclosures



260 000 FEET



GOODWYN, MILLS
AND
CAWOOD, INC.

MONTGOMERY BIRMINGHAM MOBILE ANDALUSIA

PROJECT:

BAYOU LA BATRE
WWTP
BAYOU LA BATRE, ALABAMA

SHEET:

USGS QUADRANGLE
MAP

DRAWN:

THB

2A

SCALE:

1' = 2,000'

DATE:

03/05/2007

October 24, 2006

Ms. Janey Galbraith
Galbraith & Assoc.
7770 Country Squire Dr.
Mobile, AL 36695

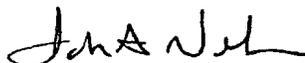
Re: AHC 07-0006
DR-06-005
39 Acre Parcel on Shine Rd.
Molbile County, AL

Dear Ms. Galbraith:

Upon review of the cultural resource assessment conducted by the University of South Alabama, the Alabama Historical Commission has determined the following. The results of the assessment indicate that there are no archaeological resources or standing structures listed on or eligible for the National Register of Historic Places within the project boundaries. Therefore, our office can concur with the proposed project.

We appreciate your efforts in helping us preserve Alabama's non-renewable cultural resources. Should you have any questions or comments or if we may be of further service, please contact Amanda Hill of this office and **include the project number referenced above.**

Sincerely,



Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

468 South Perry Street
Montgomery, Alabama
36130-0900

tel 334 242-3184
fax 334 240-3477

Attachment 3



Galbraith & Associates, L.L.C.

Development Consultants

7770 Country Squire Dr., Mobile, Alabama 36695

Telephone: 251/633-6727 Fax: 251/633-2099

e-mail: grantslady@msn.com

September 28, 2006

Ms. Stacey Hathorn
Section 106 Coordinator
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36104-0900

FILE COPY

Re: City of Bayou La Batre, Mobile County, Alabama
CDBG Project Number: DR-06-005
Development of the 39 Acre parcel on Shine Road

Dear Ms. Hathorn:

The City of Bayou La Batre in Mobile County is the recipient of a 2006 CDBG grant to conduct housing activities related to housing rehabilitation and construction of new homes to provide housing for families who were displaced by Hurricane Katrina. The City of Bayou La Batre and Volunteers of American are forming a partnership to develop a 39 acres parcel located on Shine Road located just west of Alabama 188 in Mobile County, Alabama. This activity will occur in section 15 of Township 7 South, Range 3 West.

The city commissioned Dr. Greg Waselkov, of the University of South Alabama, Center for Archaeological Studies to conduct a Phase I Cultural Resource Survey of the site. A copy of his report is attached for your review. He recommends the following, "that in the absence of any significant archaeological resources on the project tract, it is recommended that no further archaeological investigation be required."

33 acre site?

Your letter indicating your concurrence is needed for the project. If you have any comments on this federally funded project, please contact me at (251) 633-6727.

Sincerely,

Janey C. Galbraith
Janey C. Galbraith

Attachments

Mississippi Band of Choctaw Indians Consultation



Brian
Mehok/Houston/URSCorp
10/10/2007 12:21 PM

To: Angela Chaisson/Gaithersburg/URSCorp@URSCORP
cc: Suzanne Loadholt/Gaithersburg/URSCorp@URSCorp
bcc:
Subject: Fw: THPO Consultation Request for FEMA Project

Below is the email to Ken Carleton of the Mississippi Band of Choctaw Indians requesting comment. We typically will receive an email back as a formal response.

Brian S. Mehok
Environmental Specialist
URS Corporation - Houston, TX
Office: 713-914-6490
Mobile: 713-824-8059
Fax: 713-789-8404

This e-mail and any attachments are confidential. If you receive this message in error or are not the intended recipient, you should not retain, distribute, disclose or use any of this information and you should destroy the e-mail and any attachments or copies.

----- Forwarded by Brian Mehok/Houston/URSCorp on 10/10/2007 11:16 AM -----



"Bailey, Cynthia B"
<cynthia.b.bailey@dhs.gov>
10/10/2007 11:05 AM

To: <brian_mehok@urscorp.com>
cc:

Subject: FW: THPO Consultation Request for FEMA Project

From: Bailey, Cynthia B
Sent: Friday, September 21, 2007 3:02 PM
To: '(KCarlton@choctaw.org)'
Subject: THPO Consultation Request for FEMA Project

Hello Ken,

FEMA is currently preparing an environmental assessment for proposed projects located in the City of Bayou La Batre. Attached are a THPO consultation request letter, a project area map for your review, and Attachment 3 for your review. There are 2 other attachments that I will send separately because of their 7MB size each.

We are hoping to publish the public notice for these projects as soon as possible, so your prompt response will be greatly appreciated. I look forward to your response.

Thank you,

Cindy

Cindy Bailey

Environmental Liaison Officer
Environmental/Historic Preservation Advisor
U.S. Department of Homeland Security
Federal Emergency Management Agency
Alabama Transitional Recovery Office
1555 Eastern Boulevard
Montgomery, AL 36117
Office: (334) 409-4627
Fax: (334) 409-4657
FEMA Cell: (703) 673-8048
cynthia.b.bailey@dhs.gov



BLB MS Band Choctaw Indians consultation_9.21.07.doc BLB Fig 1_Project Area.ppt BLB Tribal letter Attachment 3.pdf

Seminole Tribe of Florida Consultation



FEMA

September 27, 2007

Mr. Willard Steele
Tribal Historic Preservation Officer
Seminole Tribe of Florida
HC 61 Box 21-A
Clewiston, FL 33440

Re: Request for Project Review – City of Bayou La Batre Relocation of Wastewater Treatment Plant, Effluent and Influent Lines, Outfall Structure and Lift Station, and Alternative Housing Pilot Program Safe Harbor Landing and Safe Harbor Estates

The City of Bayou La Batre (City) has applied to the Federal Emergency Management (FEMA) for assistance under the Alternative Housing Pilot Program (AHPP) and Hazard Mitigation Grant Program (HMGP) to assist in the redevelopment of the City's housing and domestic and industrial wastewater infrastructure following extensive damages incurred by Hurricane Katrina. The City proposes to utilize FEMA funding to supplement the City's applications for assistance under the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG).

On August 29, 2005, Hurricane Katrina's storm surge impacted the City of Bayou La Batre, severely damaging the City's existing municipal wastewater treatment plant (WWTP) and infrastructure and residential community. Damages incurred by Katrina left the WWTP running at a reduced capacity and hundreds of residents requiring FEMA temporary trailers. In efforts to promote redevelopment, the City has applied to HUD for assistance under CDBG for:

- The demolition and relocation of the existing WWTP, located at 285 State Docks Road, out of the coastal high hazard area (Flood Zone VE) to a site located at 14575 Railroad Street; and,
- The land acquisition and installation of infrastructure to a 39-acre site (Safe Harbor Estates) located at the intersection of Shine Road and State Highway 188 in Bayou La Batre for the development of affordable housing.

In order for the new WWTP to be a functional system, new influent lines and a new effluent pipe that would discharge into Portersville Bay would be constructed. Figure 1 shows the location of the proposed project components.

The City proposes to utilize FEMA's HMGP funding for the installation of flood mitigation measures at the proposed new WWTP. Mitigation measures include the elevation of the facility to the 500-year floodplain requirements, minor flood control measures to protect the new WWTP, and construction of a new sewer pumping station (lift station) in the location of the existing WWTP.

The City has also requested assistance from FEMA's AHPP for the acquisition and development of a 13-acre parcel (Safe Harbor Landing) located adjacent to the Safe Harbor Estates site. FEMA AHPP funds would also be utilized for the placement of AHPP housing units on both housing sites. As the components funded by HUD are connected to the proposed actions that would be funded by FEMA, the environmental impacts of all related project components are being evaluated in a comprehensive Environmental Assessment that is being prepared by FEMA.

All components of this project have undergone a Phase I Cultural Resources Survey, and reports have been prepared with determinations of impacts to cultural resources. In addition, consultation with the State of Alabama Historical Commission (SHPO) has occurred on the following components of this project:

- Attachment 1 –SHPO response letter dated August 27, 2007 regarding residential development of 20-acre parcel on Shine Road (follow-on letter to the June 26, 2007 SHPO response letter regarding the development of an 8-acre parcel on Shine Road), Phase I Cultural Resource Assessment report dated June 1, 2007 for development of a 20-acre parcel on Shine Road (which includes the 13-acre Safe Harbor Landing project site), and the undated Phase I Cultural Resource Assessment report for an 8-acre tract proposed for development on Shine Road
- Attachment 2 – Letter from Joe Mehaffey dated March 28, 2007, regarding the Proposed Wastewater Treatment Plant, Influent and Effluent Lines, and Outfall Structure; SHPO response letters dated May 23 and May 8, 2007 (this correspondence is preceded by a July 19, 2007, letter from Harriet Seacat of the University of South Alabama clarifying the project name as submitted in the Phase I report referenced in those letters), the revised report of findings for the Remote Sensing Survey for the proposed outfall line in Portersville Bay report dated March 2007, and the Phase I Cultural Resource Assessment report dated January 24, 2007 for the 16-acre wastewater treatment plant development
- Attachment 3 -- Letter from Jancy Galbraith dated September 28, 2006, regarding the CDBG Project Number 06-005, Development of the 39-acre parcel on Shine Road; SHPO response letter dated October 24, 2006, and the Phase I Cultural Resource Assessment report dated September 26, 2006 for the 39-acre development on Shine Road

The consultation letters to the SHPO, the Phase I reports, and the SHPO's responses for the project components mentioned above are included as attachments to this letter. For all components of the project, FEMA agrees with the conclusions stated in the SHPO consultation letters – a finding of no adverse effect on cultural resources eligible for or listed in the National Register of Historic Places.

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, FEMA requests that your agency review the entire proposed project and consultation conducted to date and provide comments and any available information on resources under your agency's jurisdiction within the project area. If you have any questions or need additional information, please contact me by telephone at (334) 409-4627 or electronic mail at cynthia.b.bailey@dhs.gov.

Sincerely,



Cynthia B. Bailey
Environmental Liaison Officer
FEMA-1605-DR-AL

Enclosures as noted

Attachment 1

STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

August 27, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Janey Galbraith
Galbraith & Associates, LLC
7770 Country Squire Drive
Mobile, Alabama 36695

Re: AHC 2007-0918
CRA, Residential Development
20 Acres on Shine Road
Mobile County

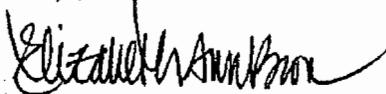
Dear Ms. Galbraith:

Upon review of the cultural resource assessment conducted by University of South Alabama for the above referenced project, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities. Please disregard our letter of June 26th, as this contained numerous typographical errors.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Amanda Hill at 334-230-2692. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,



Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/AMH/amh

STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
402 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

June 26, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Ms. Janey Galbraith
Galbraith & Associates, LLC
7770 Country Squire Drive
Mobile, Alabama 36695

Re: AHC 2007-0918
Residential Development, 8 Acres, Shrine Road
Mobile County

Dear Ms. Galbraith:

Upon review of the cultural resource assessment conducted by Galbraith & Associates, LLC for the above referenced project, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Clarissa Williams at 334-230-2672. Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,

Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

JAN/AMH/cjw

UNIVERSITY OF SOUTH ALABAMA

COLLEGE OF ARTS AND SCIENCES
CENTER FOR ARCHAEOLOGICAL STUDIES



TELEPHONE: (251) 460-6911
HUMB 34 • MOBILE, ALABAMA 36688-0002
FAX: (251) 460-6080
E-mail: gwzselkov@jaguar1.usouthal.edu

July 19, 2007

To Whom It May Concern:

This letter is to inform FEMA officials that the report entitled "A Phase I Cultural Resources Assessment for a Proposed 16-Acre Residential Development Located Northwest of the Intersection of Railroad Street and Barrett Lane, Bayou La Batre, Mobile County, Alabama" submitted by the Center for Archaeological Studies, University of South Alabama on January 24, 2007, to the City of Bayou La Batre was erroneously titled. The title should have read "A Phase I Cultural Resources Assessment for a Proposed 16-Acre Wastewater Treatment Plant Development Located Northwest of the Intersection of Railroad Street and Barrett Lane, Bayou La Batre, Mobile County, Alabama." The first paragraph within the report clearly states, "The City of Bayou La Batre is presently seeking permits to construct a waste water treatment plant." The archaeologists involved in the project were well aware of the proposed development and its location; however, the report was titled in error. The Alabama Historical Commission examines the survey methods and results, as well as the maps, which were performed and indicated in the correct location.

Thank you for the opportunity to rectify this mistake. Please contact me directly if you have any remaining questions.

Sincerely,

A handwritten signature in cursive script that reads "Harriet L. Richardson Seacat".

Harriet L. Richardson Seacat
Archaeologist II
251-460-7769 (desk)
251-460-6080 (fax)
hrseacat@jaguar1.usouthal.edu

HUMB 34
307 N. University Blvd.
University of South Alabama
Mobile, AL 36688



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

May 23, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Donna Gainey
City of Bayou La Batre
13785 South Winczell Avenue
Bayou La Batre, Alabama 36509

Re: AHC 07-0755
Cultural Resource Assessment
16 Acre Residential Development
NW of Intersection of Railroad Street & Barrett Lane
Town of Bayou La Batre
Mobile County, Alabama

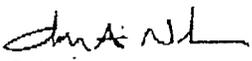
Dear Ms. Gainey:

Upon review of the cultural resource assessment conducted by the University of South Alabama, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. These include but are not limited to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are postholes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your efforts on this project. Should you have any questions, my point of contact for this matter is Greg Rhinehart at (334) 230-2696. Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,


Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

JAN/GCR/gcr



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

May 8, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Jof Mehaffey
Goodwyn, Mills & Cawood, Inc.
P.O. Box 242128
Montgomery, Alabama 36124

Re: AHC 2007-0652
Cultural Resources Assessment
Wastewater Treatment Plant
Bayou La Batre
Mobile County

Dear Mr. Mehaffey:

Upon review of the terrestrial and maritime cultural resource assessments conducted for the above referenced project, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places provided the underwater anomalies are avoided, as stated in the text. With this stipulation, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Amanda Hill at 334-230-2692. Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,

Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

JAN/AMH/amh

Attachment 2

Engineering

Architecture

Environmental

Landscape

Surveying

GOODWYN, MILLS AND CAWOOD, INC.



March 28, 2007

Ms. Amanda Hill
State of Alabama
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36130-0900

RE: Proposed Wastewater Treatment Plant, Lift Station, Influent Line, Effluent Line
& Outfall Structure
T-7-S, R-3-W, Sec. 38
T-8-S, R-3-W, Sec. 3 & 4
Mobile County, Alabama

Dear Ms. Hill:

The City of Bayou La Batre with the assistance of Goodwyn, Mills & Cawood, Inc. is in the process of seeking funding from the U.S. Department Housing Urban Development (HUD) for the above referenced project. The project is assessing the environmental impacts of constructing a wastewater treatment plant, lift station, influent line, effluent line, and outfall structure in Mobile County, Alabama.

Enclosed please find the drawing (Figure 1) depicting the boundary for the proposed project. The proposed wastewater treatment plant will be constructed on a former spoil, which was operated by the US Army Corps of Engineers. The spoil site can be further described as spoil site "Charlie". The proposed disturbance area for the treatment plant will be around thirteen (13) to fifteen (15) acres. Also, a lift station, influent, effluent and outfall lines will be constructed. The lift station will be constructed within the existing limits of the Bayou La Batre wastewater treatment plant site. Approximately, 7,000± linear feet of influent line will be installed, while the effluent and outfall structure will total around 12,000± linear feet. Both the influent line and the effluent line will be constructed in existing right-of-way. Please note that approximately 5,600± feet of the proposed outfall structure will be constructed within Portersville Bay.

Two surveys were conducted for this project. A remote sensing survey of the proposed outfall line in Portersville Bay was conducted by Panamerican Consultants, Inc. In addition, a Phase I Cultural Resources Assessment was conducted by the Center for Archeological Studies at the University of South Alabama.

Small anomalies were identified within the proposed outfall alignment, however the project engineers do not object to moving the outfall line to the proposed avoidance realignment identified in the document. An anticipated disturbance width of 20 to 30 feet will be required in this area; therefore no impacts to the identified anomalies will likely occur.

Steve Cawood, PE
David B. Reed, PE, PLS
William E. Wallace, AIA
Galen Thackston, PE
Jeffrey A. Brewer, AIA

John W. Balk, Jr., VP Marketing
George T. Goodwyn, PE, PLS
Demi Strickland, PE
H. Burns Whitaker, PE
Wesley Sell, PE
Chris Eckroate, PE
Chuck Faulkner, PE
Kevin Wales, PE
Bob Carter, PE
Burt Hankins, PE, PLS
Heath Reed, PE
Ronald Windham, PE
Jeffrey A. Harrison, PE
Euel Screws, PE
Andy Perry, PE
Jeff Fennell, PE
Cedric Campbell, PE
Josh Pierce, PE
Meredith Holzer, PE
J. Coleman Williams, PE
Victor Apodaca, PE, PLS
Keith Strickland, PE
T. Shane Sawyer, PE
Walter Scott, PE
Joseph Jones, PE
Greg Ryland, PE
Kevin Laird, PE
Finley Frazer, PE
Michael Cain, PE
Bruce Bodner, PE
T. Drew Hennessy, PE
Bartley Tell, PE
David K. Parker, PE
Jeremy Sasser, PE
John Averett, PE
Lee Walters, PWS
James Robinson, PG
Tracy A. Bassett, AIA
Freddie E. Lynn, Jr., AIA
Christopher S. Engel, AIA
Michael Hamrick, AIA
James C. Bagley, AIA, CCS, CSI
Lance P. Bellanger, AIA, CSI
Mark D. Tiller, AIA
Gery L. Owen, Jr., AIA
Daniel E. Woods, AIA
Jacquelyn Hart, IIDA
Jonathan A. Larson, AIA
Marty Reid, AIA
Carla Young, AIA
Jim Walker, AIA
Vicki Loyd, AIA
Mark Coyle, AIA
Jennifer Bricken, ASID
Susan McGallagher, AIA
Trent Calton, NCIDQ
Ellen Johnson, NCIDQ
Cathryn C. Gerachis, ASLA
Hep Kern, ASLA
John Bricken, ASLA
Roy Jones, PLS
Edward James Niel, PLS
Jarry Peery, PLS
Rick Clay, PLS
Kris Flaherty, PLS
Adam Ingram, PLS
Judy Jones, SRWA

2660 East Chase Lane
Suite 200 (36117)
P.O. Box 242128
Montgomery, AL 36124
Tel 334.271.3200
Fax 334.272.1566

2701 First Avenue S.
Suite 100
Birmingham, AL 35233
Tel 205.879.4462
Fax 205.879.4493

213-C Church Street
P.O. Box 458
Andalusia, AL 36420
Tel 334.222.2699
Fax 334.222.3573

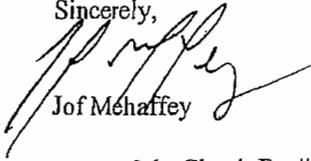
41 West I-65 Service Road N.
Suite 430
Mobile, AL 36608
Tel 251.460.4006
Fax 251.460.4423

296 South Ferdon Blvd.
Suite 7
Crestview, FL 32536
Tel 850.683.0711
Fax 850.683.0711

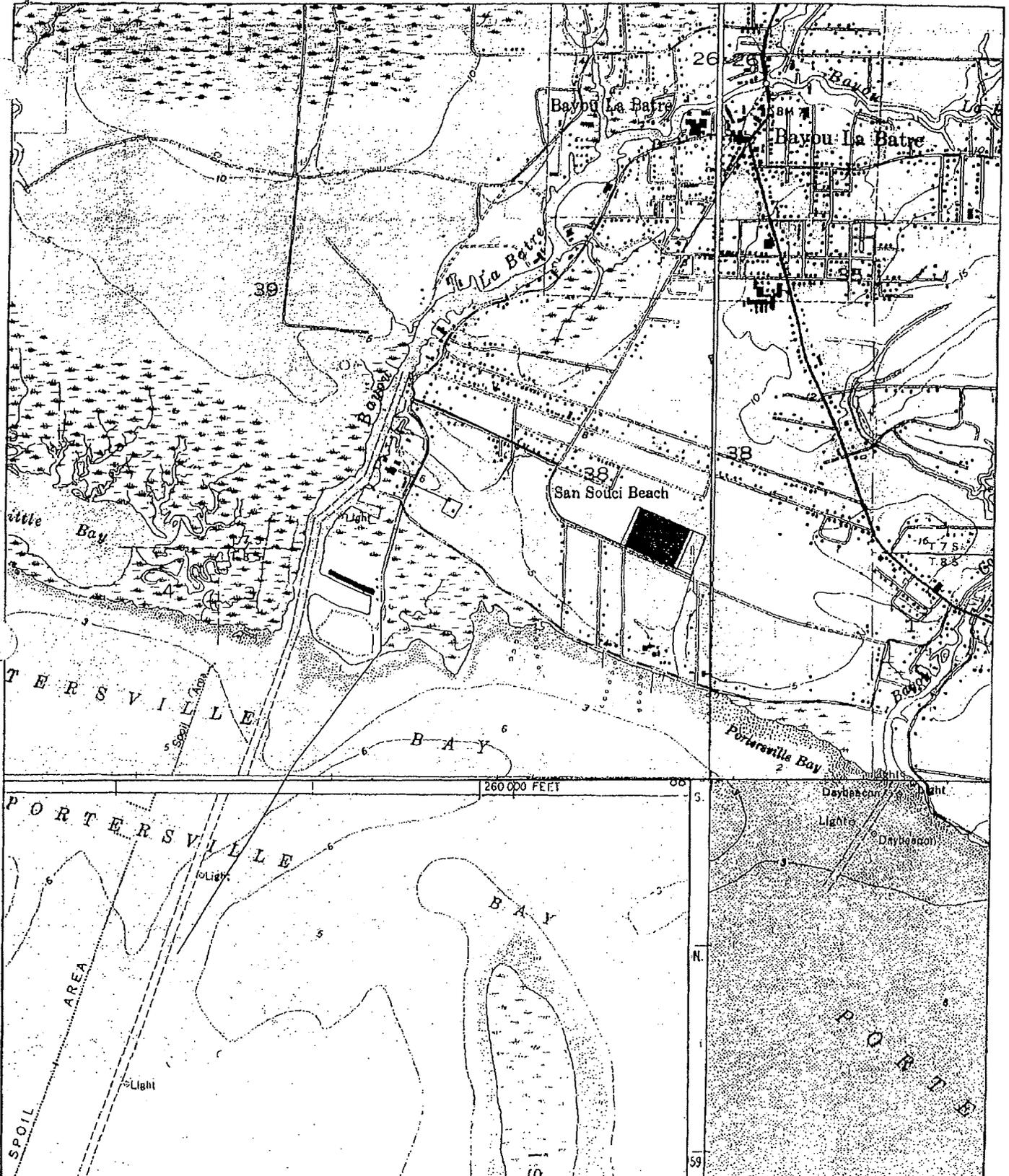
44750 Highway 17
P.O. Box 527
Varnon, AL 35592
Tel 205.695.9137
Fax 205.695.9287

We are seeking concurrence for the project as part of the HUD agency concurrence process. We would appreciate a response as soon as possible. If you need any further information or wish to discuss the project, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jof Mehaffey', written over a printed name.

Jof Mehaffey
cc: Mr. Chuck Faulkner, P.E., Goodwyn, Mills & Cawood, Inc.
Mr. Hassey Brooks, Biologist, Goodwyn, Mills & Cawood, Inc.
Enclosures



GOODWYN, MILLS
AND
CAWOOD, INC.

MONTGOMERY BIRMINGHAM MOBILE ANDALUSIA

PROJECT:

BAYOU LA BATRE
WWTP
BAYOU LA BATRE, ALABAMA

SHEET:

USGS QUADRANGLE
MAP

DRAWN:

THB

2A

SCALE:

1" = 2,000'

DATE:

03/05/2007

October 24, 2006



Ms. Janey Galbraith
Galbraith & Assoc.
7770 Country Squire Dr.
Mobile, AL 36695

Re: AHC 07-0006
DR-06-005
39 Acre Parcel on Shine Rd.
Mobile County, AL

468 South Perry Street
Montgomery, Alabama
36130-0900

tel 334 242-3184
fax 334 240-3477

Dear Ms. Galbraith:

Upon review of the cultural resource assessment conducted by the University of South Alabama, the Alabama Historical Commission has determined the following. The results of the assessment indicate that there are no archaeological resources or standing structures listed on or eligible for the National Register of Historic Places within the project boundaries. Therefore, our office can concur with the proposed project.

We appreciate your efforts in helping us preserve Alabama's non-renewable cultural resources. Should you have any questions or comments or if we may be of further service, please contact Amanda Hill of this office and ***include the project number referenced above.***

Sincerely,

Handwritten signature of John A. Neubauer in cursive.

Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

Attachment 3



Galbraith & Associates, L.L.C.

Development Consultants

7770 Country Squire Dr., Mobile, Alabama 36695

Telephone: 251/633-6727 Fax: 251/633-2099

e-mail: grantslady@msn.com

September 28, 2006

Ms. Stacye Hathorn
Section 106 Coordinator
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36104-0900

FILE COPY

Re: City of Bayou La Batre, Mobile County, Alabama
CDBG Project Number: DR-06-005
Development of the 39 Acre parcel on Shine Road

Dear Ms. Hathorn:

The City of Bayou La Batre in Mobile County is the recipient of a 2006 CDBG grant to conduct housing activities related to housing rehabilitation and construction of new homes to provide housing for families who were displaced by Hurricane Katrina. The City of Bayou La Batre and Volunteers of American are forming a partnership to develop a 39 acres parcel located on Shine Road located just west of Alabama 188 in Mobile County, Alabama. This activity will occur in section 15 of Township 7 South, Range 3 West.

The city commissioned Dr. Greg Waselkov, of the University of South Alabama, Center for Archaeological Studies to conduct a Phase I Cultural Resources Survey of the site. A copy of his report is attached for your review. He recommends the following, "that in the absence of any significant archaeological resources from the project tract, it is recommended that no further archaeological investigation be required."

33 acre site?

Your letter indicating your concurrence is needed to move forward with the project. If you have any comments on this federally funded project, please contact me at (251) 633-6727.

Sincerely,

Janey C. Galbraith
Janey C. Galbraith

Attachments

Poarch Band of Creek Indians Consultation



FEMA

September 18, 2007

Mr. Robert Thrower
Poarch Band of Creek Indians
5811 Jack Springs Road
Atmore, Alabama 36502

Re: Request for Project Review – City of Bayou La Batre Relocation of Wastewater Treatment Plant, Effluent and Influent Lines, Outfall Structure and Lift Station, and Alternative Housing Pilot Program Safe Harbor Landing and Safe Harbor Estates

The City of Bayou La Batre (City) has applied to the Federal Emergency Management (FEMA) for assistance under the Alternative Housing Pilot Program (AHPP) and Hazard Mitigation Grant Program (HMGP) to assist in the redevelopment of the City's housing and domestic and industrial wastewater infrastructure following extensive damages incurred by Hurricane Katrina. The City proposes to utilize FEMA funding to supplement the City's applications for assistance under the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG).

On August 29, 2005, Hurricane Katrina's storm surge impacted the City of Bayou La Batre, severely damaging the City's existing municipal wastewater treatment plant (WWTP) and infrastructure and residential community. Damages incurred by Katrina left the WWTP running at a reduced capacity and hundreds of residents requiring FEMA temporary trailers. In efforts to promote redevelopment, the City has applied to HUD for assistance under CDBG for:

- The demolition and relocation of the existing WWTP, located at 285 State Docks Road, out of the coastal high hazard area (Flood Zone VE) to a site located at 14575 Railroad Street; and.
- The land acquisition and installation of infrastructure to a 39-acre site (Safe Harbor Estates) located at the intersection of Shine Road and State Highway 188 in Bayou La Batre for the development of affordable housing.

In order for the new WWTP to be a functional system, new influent lines and a new effluent pipe that would discharge into Portersville Bay would be constructed. Figure 1 shows the location of the proposed project components.

The City proposes to utilize FEMA's HMGP funding for the installation of flood mitigation measures at the proposed new WWTP. Mitigation measures include the elevation of the facility to the 500-year floodplain requirements, minor flood control measures to protect the new WWTP, and construction of a new sewer pumping station (lift station) in the location of the existing WWTP.

The City has also requested assistance from FEMA's AHPP for the acquisition and development of a 13-acre parcel (Safe Harbor Landing) located adjacent to the Safe Harbor Estates site. FEMA AHPP funds would also be utilized for the placement of AHPP housing units on both housing sites. As the components funded by HUD are connected to the proposed actions that would be funded by FEMA, the environmental impacts of all related project components are being evaluated in a comprehensive Environmental Assessment that is being prepared by FEMA.

All components of this project have undergone a Phase I Cultural Resources Survey, and reports have been prepared with determinations of impacts to cultural resources. In addition, consultation with the State of Alabama Historical Commission (SHPO) has occurred on the following components of this project:

- Attachment 1 – SHPO response letter dated August 27, 2007 regarding residential development of 20-acre parcel on Shine Road (follow-on letter to the June 26, 2007 SHPO response letter regarding the development of an 8-acre parcel on Shine Road), Phase I Cultural Resource Assessment report dated June 1, 2007 for development of a 20-acre parcel on Shine Road (which includes the 13-acre Safe Harbor Landing project site), and the undated Phase I Cultural Resource Assessment report for an 8-acre tract proposed for development on Shine Road
- Attachment 2 – Letter from Joe Mehaffey dated March 28, 2007, regarding the Proposed Wastewater Treatment Plant, Influent and Effluent Lines, and Outfall Structure; SHPO response letters dated May 23 and May 8, 2007 (this correspondence is preceded by a July 19, 2007, letter from Harriet Seacat of the University of South Alabama clarifying the project name as submitted in the Phase I report referenced in those letters), the revised report of findings for the Remote Sensing Survey for the proposed outfall line in Portersville Bay report dated March 2007, and the Phase I Cultural Resource Assessment report dated January 24, 2007 for the 16-acre wastewater treatment plant development
- Attachment 3 – Letter from Janey Galbraith dated September 28, 2006, regarding the CDBG Project Number 06-005, Development of the 39-acre parcel on Shine Road; SHPO response letter dated October 24, 2006, and the Phase I Cultural Resource Assessment report dated September 26, 2006 for the 39-acre development on Shine Road

The consultation letters to the SHPO, the Phase I reports, and the SHPO's responses for the project components mentioned above are included as attachments to this letter. For all components of the project, FEMA agrees with the conclusions stated in the SHPO consultation letters – a finding of no adverse effect on cultural resources eligible for or listed in the National Register of Historic Places.

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended, FEMA requests that your agency review the entire proposed project and consultation conducted to date and provide comments and any available information on resources under your agency's jurisdiction within the project area. If you have any questions or need additional information, please contact me by telephone at (334) 409-4627 or electronic mail at cynthia.b.bailey@dhs.gov.

Sincerely,



Cynthia B. Bailey
Environmental Liaison Officer
FEMA-1605-DR-AL

Enclosures as noted

Attachment 1

STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

August 27, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Janey Galbraith
Galbraith & Associates, LLC
7770 Country Squire Drive
Mobile, Alabama 36695

Re: AHC 2007-0918
CRA, Residential Development
20 Acres on Shine Road
Mobile County

Dear Ms. Galbraith:

Upon review of the cultural resource assessment conducted by University of South Alabama for the above referenced project, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities. Please disregard our letter of June 26th, as this contained numerous typographical errors.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Amanda Hill at 334-230-2692. Please have the AHC tracking number referenced above available and include it with any correspondence.

Truly yours,



Elizabeth Ann Brown
Deputy State Historic Preservation Officer

EAB/AMH/amh

STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
408 SOUTH PLINY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

June 26, 2007

TEL: 334-242-3181
FAX: 334-240-3477

Ms. Janey Galbraith
Galbraith & Associates, LLC
7770 Country Squire Drive
Mobile, Alabama 36695

Re: AHC 2007-0918
Residential Development, 8 Acres, Shrine Road
Mobile County

Dear Ms. Galbraith:

Upon review of the cultural resource assessment conducted by Galbraith & Associates, LLC for the above referenced project, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Clarissa Williams at 334-230-2672. Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,

Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

JAN/AMH/cjw

UNIVERSITY OF SOUTH ALABAMA

COLLEGE OF ARTS AND SCIENCES
CENTER FOR ARCHAEOLOGICAL STUDIES



TELEPHONE: (251) 460-6991
HUMB 34 • MOBILE, ALABAMA 36688-0002
FAX: (251) 460-6080
E-mail: hrseecat@jaguar1.usouthal.edu

July 19, 2007

To Whom It May Concern:

This letter is to inform FEMA officials that the report entitled "A Phase I Cultural Resources Assessment for a Proposed 16-Acre Residential Development Located Northwest of the Intersection of Railroad Street and Barrett Lane, Bayou La Batre, Mobile County, Alabama" submitted by the Center for Archaeological Studies, University of South Alabama on January 24, 2007, to the City of Bayou La Batre was erroneously titled. The title should have read "A Phase I Cultural Resources Assessment for a Proposed 16-Acre Wastewater Treatment Plant Development Located Northwest of the Intersection of Railroad Street and Barrett Lane, Bayou La Batre, Mobile County, Alabama." The first paragraph within the report clearly states, "The City of Bayou La Batre is presently seeking permits to construct a waste water treatment plant." The archaeologists involved in the project were well aware of the proposed development and its location; however, the report was titled in error. The Alabama Historical Commission examines the survey methods and results, as well as the maps, which were performed and indicated in the correct location.

Thank you for the opportunity to rectify this mistake. Please contact me directly if you have any remaining questions.

Sincerely,

A handwritten signature in cursive script that reads "Harriet L. Richardson Seecat".

Harriet L. Richardson Seecat
Archaeologist II
251-460-7769 (desk)
251-460-6080 (fax)
hrseecat@jaguar1.usouthal.edu

HUMB 34
307 N. University Blvd.
University of South Alabama
Mobile, AL 36688



Galbraith & Associates, L.L.C.

Development Consultants

7770 Country Square Dr., Mobile, Alabama 36695

Telephone: 251/633-6727 Fax: 251/633-2099

E-mail: grants@ady@msn.com

June 11, 2007

Ms. Stacye Hathorn
Section 106 Coordinator
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36104-0900

Re: City of Bayou La Batre, Mobile County, Alabama
Proposed development of an 8-acre parcel on Shine Road
FEMA Alternative Housing Pilot Program

Dear Ms. Hathorn:

The City of Bayou La Batre in Mobile County has applied for federal funding from the Federal Emergency Management Agency (FEMA) under the Alternative Housing Pilot Program (AHPP) to provide housing for families who were displaced by Hurricane Katrina. The City of Bayou La Batre proposes to develop an 8-acre parcel located on Shine Road immediately south of Alabama 188 in Mobile County, Alabama. This activity will occur in section 15 of Township 7 South, Range 3 West. The larger 39-acre site included in this project that is located on Shine Road just west of Alabama 188 received concurrence by your agency on October 24, 2006. Please see attached letter. The following items are attached:

- 1) Phase I Cultural Resources Assessment
- 2) Preliminary Site Plan (Including Latitudes/Longitudes)
- 3) USGS Topographic Map of the project area (All proposed activities are located in Section 15, Township 7 South and Range 3 West, as shown on the Grand Bay USGS Quadrangle map)
- 4) SHPO Letter of Concurrence on 39-acre parcel

The city commissioned the University of South Alabama's Center for Archaeological Studies to conduct a Phase I Cultural Resources Assessment of the site. A copy of their report is attached for your review. The report recommends the following: that in the absence of any significant archaeological recovery from the project tract, it is recommended that no further cultural monitoring or mitigation be required.

Your letter indicating your concurrence is needed before we may proceed with the project. If you have any comments on this federally funded project please contact me at (251) 633-6727.

Sincerely,

Nancy C. Galbraith



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

May 23, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Donna Gainey
City of Bayou La Batre
13785 South Wintzell Avenue
Bayou La Batre, Alabama 36509

Re: AHC 07-0755
Cultural Resource Assessment
16 Acre Residential Development
NW of Intersection of Railroad Street & Barrett Lane
Town of Bayou La Batre
Mobile County, Alabama

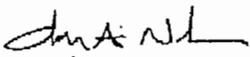
Dear Ms. Gainey:

Upon review of the cultural resource assessment conducted by the University of South Alabama, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places. Therefore, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. These include but are not limited to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are postholes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your efforts on this project. Should you have any questions, my point of contact for this matter is Greg Rhinehart at (334) 230-2696. Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,


Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

JAN/GCR/gcr



STATE OF ALABAMA
ALABAMA HISTORICAL COMMISSION
468 SOUTH PERRY STREET
MONTGOMERY, ALABAMA 36130-0900

COLONEL (RET.) JOHN A. NEUBAUER
EXECUTIVE DIRECTOR

May 8, 2007

TEL: 334-242-3184
FAX: 334-240-3477

Jof Mehaffey
Goodwyn, Mills & Cawood, Inc.
P.O. Box 242128
Montgomery, Alabama 36124

Re: AHC 2007-0652
Cultural Resources Assessment
Wastewater Treatment Plant
Bayou La Batre
Mobile County

Dear Mr. Mehaffey:

Upon review of the terrestrial and maritime cultural resource assessments conducted for the above referenced project, we have determined that project activities will have no adverse effect on cultural resources eligible for or listed on the National Register of Historic Places provided the underwater anomalies are avoided, as stated in the text. With this stipulation, we concur with the proposed project activities.

However, should artifacts or archaeological features be encountered during project activities, work shall cease and our office shall be consulted immediately. Artifacts are objects made, used or modified by humans. They include but are not excluded to arrowheads, broken pieces of pottery or glass, stone implements, metal fasteners or tools, etc. Archaeological features are stains in the soil that indicate disturbance by human activity. Some examples are post holes, building foundations, trash pits and even human burials. This stipulation shall be placed on the construction plans to insure contractors are aware of it.

We appreciate your commitment to helping us preserve Alabama's non-renewable resources. Should you have any questions, the point of contact for this matter is Amanda Hill at 334-230-2692. Please have the AHC tracking number referenced above available and include it with any correspondence.

Sincerely,

Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer

JAN/AMH/amh

Attachment 2

Engineering

Architecture

Environmental

Landscape

Surveying

GOODWYN, MILLS AND CAWOOD, INC.



March 28, 2007

Ms. Amanda Hill
State of Alabama
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36130-0900

RE: Proposed Wastewater Treatment Plant, Lift Station, Influent Line, Effluent Line & Outfall Structure
T-7-S, R-3-W, Sec. 38
T-8-S, R-3-W, Sec. 3 & 4
Mobile County, Alabama

Dear Ms. Hill:

The City of Bayou La Batre with the assistance of Goodwyn, Mills & Cawood, Inc. is in the process of seeking funding from the U.S. Department Housing Urban Development (HUD) for the above referenced project. The project is assessing the environmental impacts of constructing a wastewater treatment plant, lift station, influent line, effluent line, and outfall structure in Mobile County, Alabama.

Enclosed please find the drawing (Figure 1) depicting the boundary for the proposed project. The proposed wastewater treatment plant will be constructed on a former spoil, which was operated by the US Army Corps of Engineers. The spoil site can be further described as spoil site "Charlie". The proposed disturbance area for the treatment plant will be around thirteen (13) to fifteen (15) acres. Also, a lift station, influent, effluent and outfall lines will be constructed. The lift station will be constructed within the existing limits of the Bayou La Batre wastewater treatment plant site. Approximately, 7,000± linear feet of influent line will be installed, while the effluent and outfall structure will total around 12,000± linear feet. Both the influent line and the effluent line will be constructed in existing right-of-way. Please note that approximately 5,600± feet of the proposed outfall structure will be constructed within Portersville Bay.

Two surveys were conducted for this project. A remote sensing survey of the proposed outfall line in Portersville Bay was conducted by Panamerican Consultants, Inc. In addition, a Phase I Cultural Resources Assessment was conducted by the Center for Archeological Studies at the University of South Alabama.

Small anomalies were identified within the proposed outfall alignment, however the project engineers do not object to moving the outfall line to the proposed avoidance realignment identified in the document. An anticipated disturbance width of 20 to 30 feet will be required in this area; therefore no impacts to the identified anomalies will likely occur.

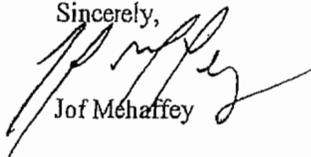
Steve Cawood, PE
David B. Reed, PE, PLS
William E. Wallace, AIA
Galan Thackston, PE
Jeffrey A. Brawer, AIA

John W. Belk, Jr., VP Marketing
George T. Goodwyn, PE, PLS
Demi Strickland, PE
H. Burns Whitaker, PE
Wesley Seif, PE
Chris Eckroata, PE
Chuck Faulkner, PE
Kevin Wales, PE
Bob Carter, PE
Burt Hankins, PE, PLS
Heath Reed, PE
Ronald Windham, PE
Jeffrey A. Harrison, PE
Euel Screws, PE
Andy Perry, PE
Jeff Fennell, PE
Cedric Campbell, PE
Josh Pierce, PE
Meredith Holzer, PE
J. Coleman Williams, PE
Victor Apodaca, PE, PLS
Keith Strickland, PE
T. Shane Sawyer, PE
Walter Scott, PE
Joseph Jonas, PE
Greg Ryland, PE
Kevin Laird, PE
Finley Frazer, PE
Michael Cain, PE
Bruce Bodner, PE
T. Draw Hennessy, PE
Bartley Tell, PE
David K. Parker, PE
Jeremy Sasser, PE
John Averett, PE
Lee Wallers, PWS
James Robinson, PG
Tracy A. Bassett, AIA
Freddie E. Lynn, Jr., AIA
Christopher S. Engel, AIA
Michael Hamrick, AIA
James C. Bagley, AIA, CCS, CSI
Lance P. Bellenger, AIA, CSI
Mark D. Tiller, AIA
Gary L. Owen, Jr., AIA
Daniel E. Woods, AIA
Jacquelyn Hart, IIDA
Jonathan A. Larson, AIA
Marty Reid, AIA
Carla Young, AIA
Jim Walker, AIA
Vicki Loyd, AIA
Merk Coyle, AIA
Jennifer Bricken, ASID
Susan McGallagher, AIA
Trent Cetran, NCIDO
Ellen Johnson, NCIDO
Cathryn C. Gerachis, ASLA
Hep Kern, ASLA
John Bricken, ASLA
Roy Jones, PLS
Edward James Niel, PLS
Jerry Paery, PLS
Rick Clay, PLS
Kris Flaherty, PLS
Adam Ingram, PLS
Judy Jones, SRWA

Table with 6 columns and 2 rows of contact information for various office locations including addresses, phone numbers, and fax numbers.

We are seeking concurrence for the project as part of the HUD agency concurrence process. We would appreciate a response as soon as possible. If you need any further information or wish to discuss the project, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Jof Mehaffey", written over the typed name.

Jof Mehaffey

cc: Mr. Chuck Faulkner, P.E., Goodwyn, Mills & Cawood, Inc.
Mr. Hassey Brooks, Biologist, Goodwyn, Mills & Cawood, Inc.
Enclosures

October 24, 2006



Ms. Janey Galbraith
Galbraith & Assoc.
7770 Country Squire Dr.
Mobile, AL 36695

Re: AHC 07-0006
DR-06-005
39 Acre Parcel on Shine Rd.
Mobile County, AL

468 South Perry Street
Montgomery, Alabama
36130-0900

tel 334 242-3184
fax 334 240-3477

Dear Ms. Galbraith:

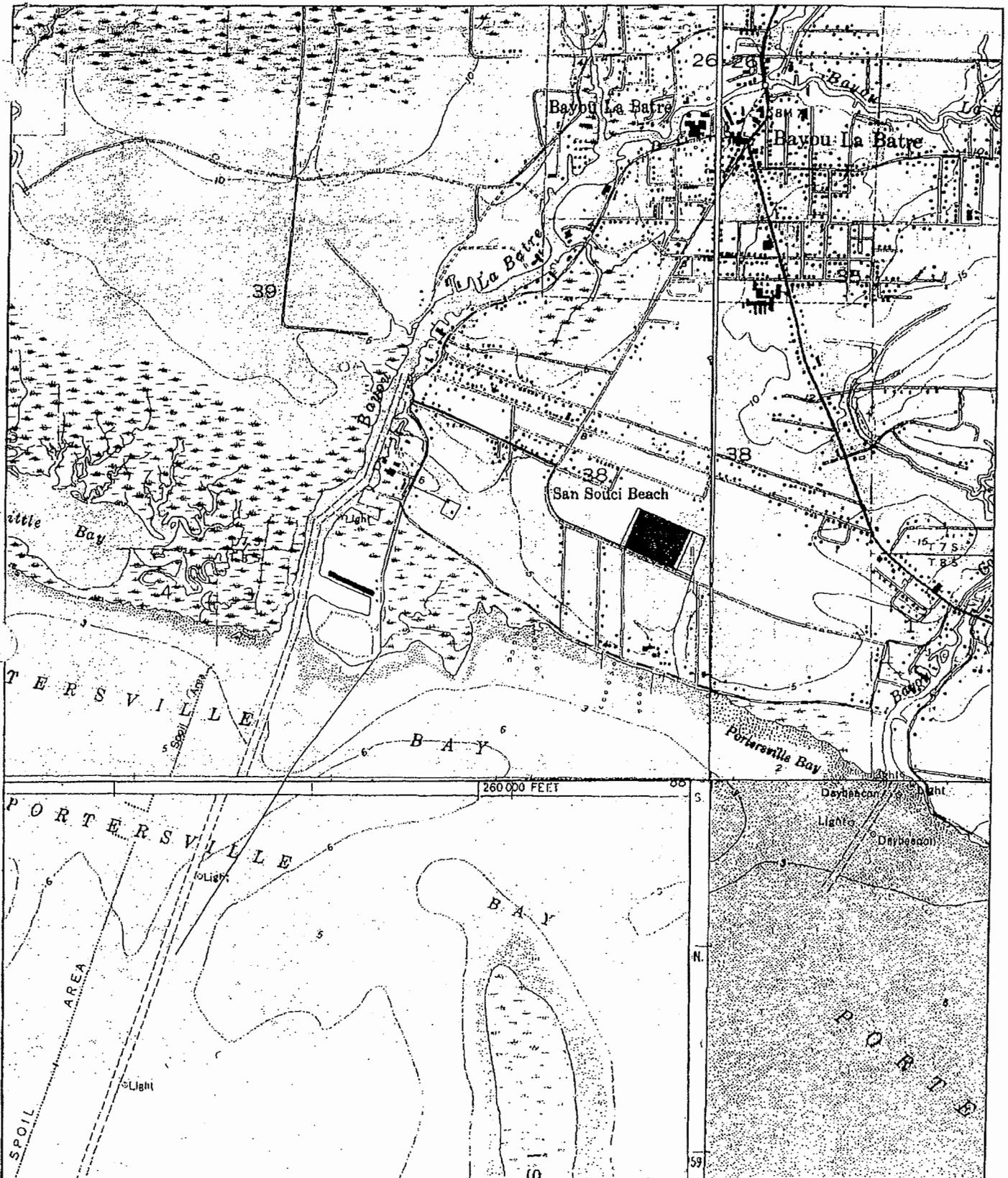
Upon review of the cultural resource assessment conducted by the University of South Alabama, the Alabama Historical Commission has determined the following. The results of the assessment indicate that there are no archaeological resources or standing structures listed on or eligible for the National Register of Historic Places within the project boundaries. Therefore, our office can concur with the proposed project.

We appreciate your efforts in helping us preserve Alabama's non-renewable cultural resources. Should you have any questions or comments or if we may be of further service, please contact Amanda Hill of this office and *include the project number referenced above.*

Sincerely,

A handwritten signature in cursive script, appearing to read "John A. Neubauer".

Colonel (Ret.) John A. Neubauer
State Historic Preservation Officer



GOODWYN, MILLS
AND
CAWOOD, INC.

MONTGOMERY BIRMINGHAM MOBILE ANDALUSIA

PROJECT:

BAYOU LA BATRE
WWTP
BAYOU LA BATRE, ALABAMA

SHEET:

USGS QUADRANGLE
MAP

DRAWN

THB

2A

SCALE:

1' = 2,000'

DATE:

03/05/2007

Attachment 3



Galbraith & Associates, L.L.C.

Development Consultants

7770 Country Squire Dr., Mobile, Alabama 36695

Telephone: 251/633-6727 Fax: 251/633-2099

e-mail: grantslady@msn.com

September 28, 2006

Ms. Stacey Hathorn
Section 106 Coordinator
Alabama Historical Commission
468 South Perry Street
Montgomery, Alabama 36104-0900

FILE COPY

Re: City of Bayou La Batre, Mobile County Alabama
CDBG Project Number: DR-06-005
Development of the 39 Acre parcel on Shine Road

Dear Ms. Hathorn:

The City of Bayou La Batre in Mobile County is the recipient of a 2006 CDBG grant to conduct housing activities related to housing rehabilitation and construction of new homes to provide housing for families who were displaced by Hurricane Katrina. The City of Bayou La Batre and Volunteers of American are forming a partnership to develop a 39 acres parcel located on Shine Road located just west of Alabama 188 in Mobile County, Alabama. This activity will occur in section 15 of Township 7 South, Range 3 West.

The city commissioned Dr. Greg Waselkov, of the University of South Alabama, Center for Archaeological Studies to conduct a Phase I Cultural Resources Survey of the site. A copy of his report is attached for your review. The report recommends the following, "that in the absence of any significant archaeological resources from the project tract, it is recommended that no further archaeological investigation be required."

13 acre site?

Your letter indicating your concurrence is needed to proceed with the project. If you have any comments on this federally funded project, please contact me at (251) 633-6727.

Sincerely,

Jane C. Galbraith
Jane C. Galbraith

Attachments