

APPENDIX B  
Agency Coordination

August 11, 2008

MEMORANDUM TO: See Distribution

SUBJECT: Scoping Notification/Solicitation of Views

To Whom It May Concern:

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) is mandated by the U.S. Congress to administer Federal disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. The Stafford Act authorizes FEMA's Public Assistance Program to provide emergency temporary administrative, educational, medical, or other support facilities for areas impacted by disasters while repairs and reconstruction of storm damaged facilities are being undertaken.

The attached scope of work and drawings correspond to a proposed project for which FEMA funding has been requested.

The applicant, St. Bernard Parish proposes to: construct a new recreational complex for St. Bernard Parish. (SEE ATTACHED SCOPE OF WORK)

To ensure compliance with NEPA and other applicable Federal regulations, we will be preparing an Environmental Assessment document. To assist us in preparation of the EA, we request that your office review the attached documents for a determination as to the requirement of any formal consultation, regulatory permits, determinations, or authorizations.

Please respond within 15 calendar days of the date of this scoping notification. If our office receives no comments at the close of this period, we will assume that your agency does not object to the project as proposed.

Comments may be faxed to (504) 762-2871, emailed to [Adam.Borden@dhs.gov](mailto:Adam.Borden@dhs.gov) or mailed to the attention of Adam Borden, Environmental Section, at the following address:

Adam Borden  
Environmental Section, 5<sup>th</sup> Floor  
Federal Emergency Management Agency  
1 Seine Ct.  
New Orleans, LA 70114

For questions regarding this matter, please contact Adam Borden at (832) 851-3832

## VAL REISS PARK SCOPE OF WORK

On August 29, 2005, the tidal surge and high velocity winds from Hurricane Katrina resulted in extensive damage to Val Reiss Park located at 1101 Magistrate St., Chalmette, LA. (Lat: 29.95242, Long: -89.94655W). Val Reiss Park was owned and operated by St. Bernard Parish at the time of the disaster. The approximately 33 acre park is currently not in use. The original park consisted of four baseball fields, one football/soccer field, a remote control car track, on-site parking, and a gazebo. The park also contained 3 separate wooden structures, a 770 square foot (SF), 2 story wood frame concession stand, a 2,048 SF single story rental hall, and a 2,048 SF, 2 story wood frame concession stand. The remaining portions of the park are dominated by vegetation. The western edge of the park is bordered by a small drainage ditch spanning from the northern park boundary to the southern boundary. The northern edge of the park is bordered by a large canal (40 Arpent Canal). The south and east boundaries of the park are defined by residential streets and homes. The four corners of the proposed project site are included below:

<u>Corner</u>	<u>Coordinates</u>
NE	29.95365N, -89.94256W
SE	29.95219N, -89.94327W
NW	29.95525N, -89.94700W
SW	29.95121N, -89.94944W

The proposed action includes the construction of a new recreational complex for St. Bernard Parish. The project shall include one (1) youth baseball/softball quadraplex, one (1) mixed youth/adult baseball/softball quadraplex, a multi-purpose building, picnic areas, parking lots, circulation roads, a walking path, playground lots, a restroom/concession building, a shuttle road, a scout house, fencing, and utility infrastructure.

# VAL REISS PARK MAPS



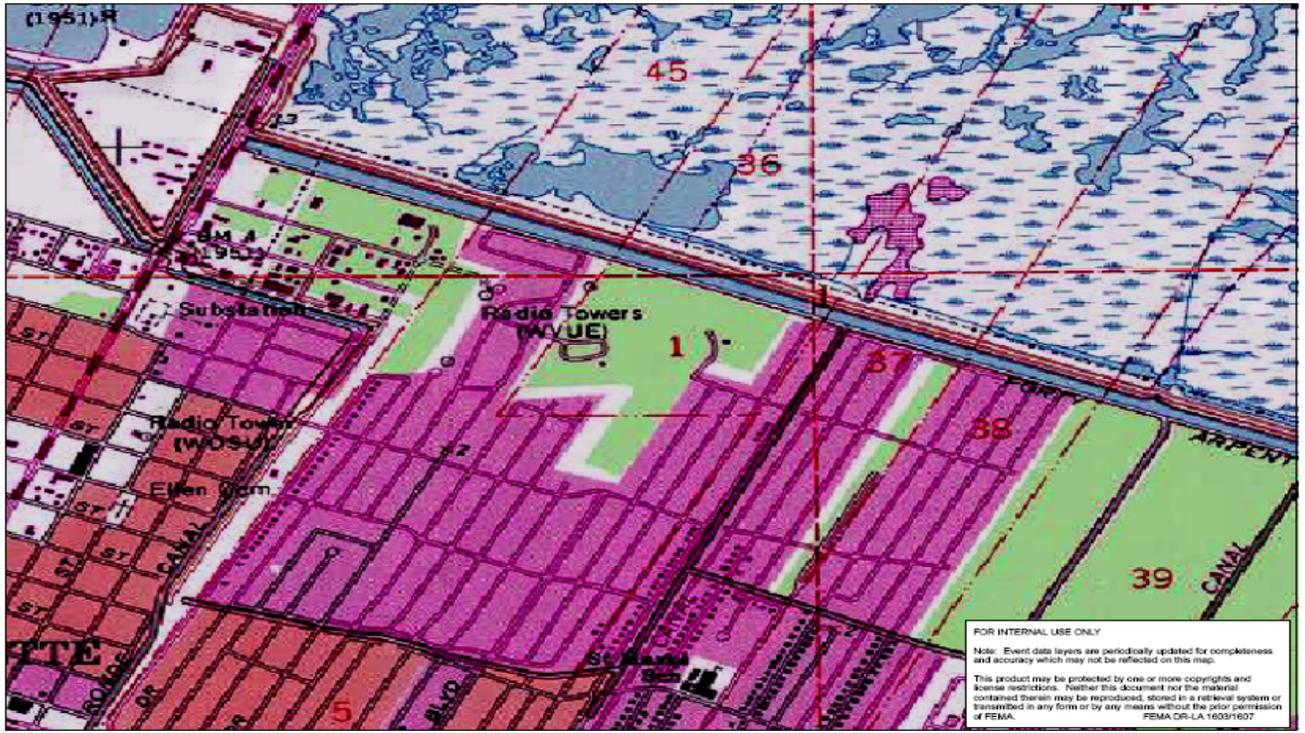
**Figure 1: Street Map**



Val Reiss Park  
St. Bernard Parish, Louisiana



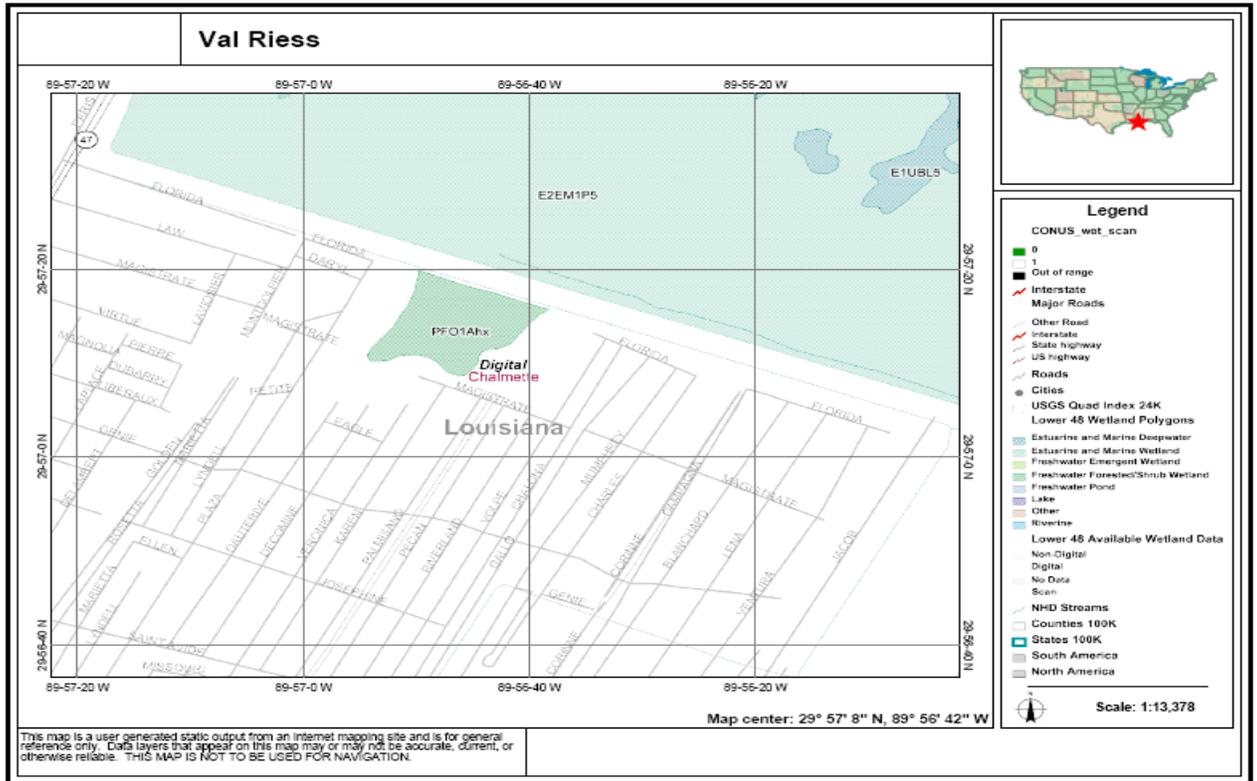
0 1,000 Feet



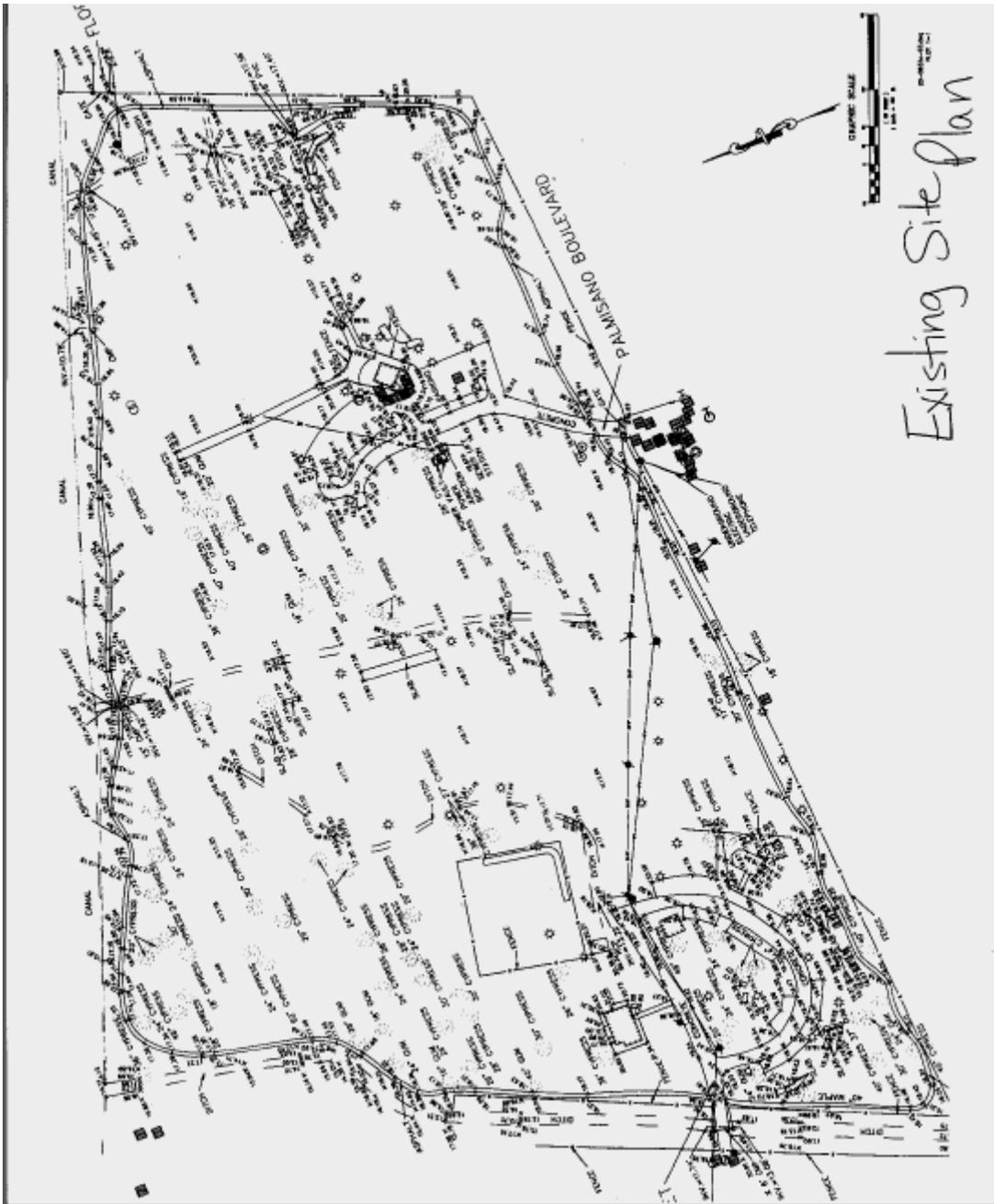
G:\Projects\Environmental\StBernard\Val\_Reiss\_Topo\_20080804.cma.mxd

Monday, August 04, 2008

Figure 2: Topographical Map



**Figure 2: National Wetland Inventory Map**



**Figure 3: Existing Site Plan**

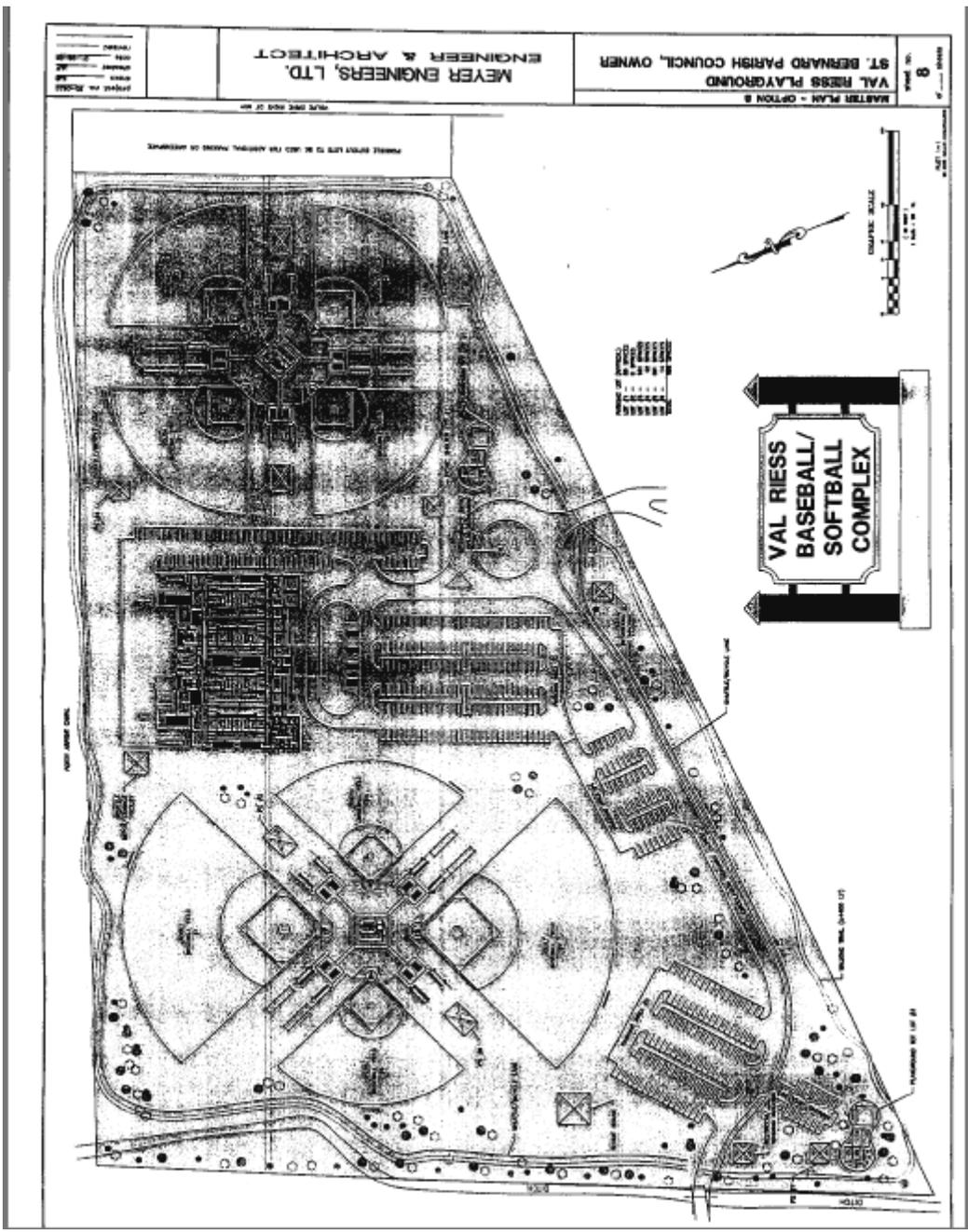


Figure 5: Proposed Layout

From: Windham, Michael J MVN [Michael.J.Windham@usace.army.mil]  
Sent: Friday, December 14, 2007 11:34  
To: Borden, Adam  
Subject: RE: Val Reiss Park JD

Adam,

Based on review of recent maps, aerial photography, and soils data, we have determined that this property is not in a wetland subject to Corps' jurisdiction. A Department of the Army (DA) permit under Section 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site. However, a DA permit will be required if you propose to deposit dredged or fill material into the Forty Arpent Canal or the unnamed tributary along the western boundary.

-----Original Message-----

From: Borden, Adam [mailto:adam.borden@dhs.gov]  
Sent: Monday, October 01, 2007 11:00 AM  
To: Windham, Michael J MVN  
Cc: Latour, Edmund S; Nachtmann, Ed  
Subject: Val Reiss Park JD

Good morning Mike,

I have a wetland concern on an up and coming FEMA Public Assistance project in St. Bernard Parish. The project has yet to be written for my review and no work has begun on site. In checking the NWI survey, a large portion of the potential project seems to be occupied by wetlands. To my knowledge, the applicant/owner (St. Bernard Parish) has not yet applied for any 404 permit.

The project activities will include fill and construction activity throughout the entire highlighted area in the map attached. The applicant plans to turn the mostly green space park into a more recreational area, complete with a football/track field, 4 baseball fields, concession stands, and expanded parking lots. The coordinates of the main entrance as stated on the map are:

29.95212N; -89.94504W. The address is 1101 Magistrate St., Chalmette, LA.

Sorry I do not have the section, range. In efforts to assist this applicant as quickly as possible, would it be possible to get a Jurisdictional Determination on this site if you feel it is required? I've misplaced your phone number. Please feel free to give me a ring if you need any further clarification.

Thanks,

Adam  
Adam Borden  
FEMA-Environmental  
Environmental Specialist  
1 Seine Court  
New Orleans LA 70114

## WETLAND MITIGATION CONTRACT

**THIS AGREEMENT** is entered into this 24 day of APRIL, 2008, by and between **HIGH POINT MITIGATION COMPANY, LLC**, (hereinafter referred to as "HIGH POINT"), whose mailing address is 100 Commerce Dr. Suite A, Oxford, MS 38655, and **Saint Bernard Parish Government**, (hereinafter sometimes referred to as "Permittee") whose mailing address is 8201 West Judge Perez Dr., Chalmette, LA 70043;

**WHEREAS**, HIGH POINT is the sponsor of record of the HIGH POINT WETLANDS MITIGATION AREA (hereinafter sometimes referred to as the "Mitigation Bank"), as created by the Interagency Agreement (High Point Wetlands Mitigation Area) dated August, 2001;

**WHEREAS**, HIGH POINT is the owner of certain property located in Livingston Parish, Sections 8, 9, and 16, T-9-S, R-6-E, State of Louisiana, more particularly described in the Interagency Agreement (hereinafter referred to as the "Property"), which Property will be under the supervision and oversight of the Mitigation Area Review Team ("MART") as that term is defined in the Interagency Agreement; and

**WHEREAS**, Permittee desires to acquire a mitigation site which will satisfy Permittee's mitigation obligations to the U.S. Federal Emergency Management Agency, for the project titled Val Reiss Park and for the FIPS number 087-99087-00, for wetlands damages Permittee has incurred, or will incur, elsewhere.

**NOW THEREFORE**, for and in consideration of the promises and the payments hereinafter set forth, HIGH POINT and Permittee agree as follows:

1. HIGH POINT agrees to satisfy Permittee's mitigation requirements, by mitigating 0.1 acres (bald cypress) of the Mitigation Bank as defined in the Interagency Agreement;
2. Permittee shall pay HIGH POINT a non-refundable payment of one thousand and no/100 Dollars (\$1,000.00) for 0.1 acres (bald cypress) located within the Mitigation Bank. Total amount due is one thousand and no/100 Dollars (\$1,000.00). Upon receipt of cash payment of this consideration, HIGH POINT accepts responsibility for the mitigation of 0.1 acres (bald cypress) within the Mitigation Bank, for the duration of time, and subject to the conditions required by the Interagency Agreement;
3. This Agreement does not grant unto Permittee any rights to any monies generated

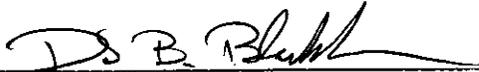
by the Mitigation Area, nor to any ownership interest in the Mitigation Area;

4. HIGH POINT, and its successors and/or assigns, agree to indemnify, save and hold Permittee and/or all of its owners, directors, officers, shareholders, members, partners, managers, agents and/or employees (collectively, the "Indemnified Parties") harmless from and against any and all liabilities, claims and/or causes of action, other than those resulting solely from acts of God, arising out of claims made by, rights asserted by, and/or causes of action asserted by the U.S. Army Corps of Engineers and/or the Louisiana Department of Natural Resources against any Indemnified Party, directly concerning, arising out of, or directly related to the compensatory mitigation services to be provided by HIGH POINT under, or pursuant to, this Wetland Mitigation Contract, and HIGH POINT, and its successors and/or assigns, agree to defend the Indemnified Parties, or at HIGH POINT's option to reimburse the Indemnified Parties for its or their legal and expert fees as incurred by the Indemnified Parties in the defense of any such action, claim or proceeding.
5. Each party warrants to the other that it has the right to enter into, and otherwise perform the obligations set forth in, this contract;
6. Each party agrees to timely file any and all necessary reports required by supervisory authorities;
7. HIGH POINT agrees to adhere to the mitigation requirements set forth in Section III of the Interagency Agreement, and shall plant and maintain the Mitigation Bank in strict conformity therewith.
8. This Agreement constitutes the entire agreement between HIGH POINT and Permittee, and may not be changed, amended or modified except by instrument in writing signed by both parties hereto; and,
9. This Agreement shall be governed by and construed under the laws of the State of Louisiana, and shall be binding upon and inure to the benefit of the successors and assigns of all parties.

IN WITNESS THEREOF, the parties hereto have caused this Agreement to be duly executed by their duly authorized officers.

AGREED TO AND ACCEPTED, this 28 day of April, 2008.

**HIGH POINT MITIGATION COMPANY, L.L.C.**

By:   
Manager

By:   
Manager

AGREED TO AND ACCEPTED, this 24 day of APRIL, 2008.

**PERMITTEE  
Saint Bernard Parish Government**

Signature: 

Printed Name: ~~Linda Daly~~ CRAIG P. TAFFARO, JR.

<sup>PARISH PRESIDENT</sup>  
Title: ~~Director of Public Works~~

# USFWS Louisiana Field Office



U.S. Fish & Wildlife Service  
Ecological Services  
646 Cajundome Blvd., Suite 400  
Lafayette, LA 70506

Fax (337) 291-3139  
Office (337) 291-3100  
Email: [lafayette@fws.gov](mailto:lafayette@fws.gov)

## FAX FORM

To: <u>Adam Borden</u>	From: <u>Jim Grohala</u>
Fax: <u>(504) 762-2871</u>	Pages: (incl. cover) <u>2</u>
Phone:	Date: <u>8/20/2008</u>
Re: <u>Val Reiss Park rehabilitation</u>	cc:

Urgent       For Review       Please Comment       Please Reply

### Comments:

The following page is the U.S. Fish and Wildlife Service's determination for the proposed Val Reiss Park rehabilitation project located in St. Bernard Parish. This is in response to the 8/11/2008 memorandum for the Solicitation of Views regarding this project.

If you have any questions, please feel free to contact me.

Thank you,

Jim Grohala  
Jim Grohala

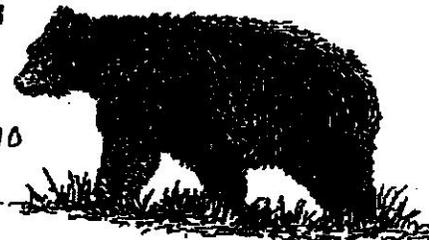
Louisiana Black Bear

Scientific Name: *Ursus americanus luteolus*

Family: Ursidae

Status: Threatened - Federal Ph: 337/291-3110

Register: January 7, 1992



**DESCRIPTION:** The Louisiana Black Bear is one of sixteen recognized subspecies of the American black bear *U. Americanus*. The Louisiana Black Bear historical range includes Louisiana, Southern Mississippi and Eastern Texas. The Louisiana Black Bear is distinguished from other black bears by possessing a skull that is longer, more narrow, and flat, and by possessing proportionately large molar teeth. Black bears are huge, bulky mammals with long black hair. Although weight varies considerably, large males may weigh more than 600 pounds. Black bears are making a comeback in the lower Mississippi River Valley, due largely to the efforts of state and federal agencies, conservation organizations, universities, timber companies, farmers and other private landowners.

Project Work Number \_\_\_\_\_

Val Reiss Park  
St. Bernard Parish

In accordance with the Fish and Wildlife Coordination Act, the Fish and Wildlife Service has determined that the proposed project will not significantly impact fish and wildlife resources.

Based on the information provided, wetland resources may be adversely affected by the proposed project. Please contact the Corps of Engineers' (Corps) Regulatory Office to ascertain whether a permit is required. If the proposed action has already received Corps authorization, Fish and Wildlife Coordination Act consultation requirements have been completed. If a Corps permit is required, the Fish and Wildlife Service will provide a Fish and Wildlife Coordination Act report in response to the Corps permit application.

Pats Holman  
Acting Supervisor  
Louisiana Field Office  
U.S. Fish and Wildlife Service

This project has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed,  
 Will have no effect on those resources  
 Is not likely to adversely affect those resources.  
This finding fulfills the requirements under Section 7(a)(2) of the Act.

Pats Holman 8/12/08  
Acting Supervisor Date  
Louisiana Field Office  
U.S. Fish and Wildlife Service

BOBBY JINDAL  
GOVERNOR



SCOTT A. ANGELLE  
SECRETARY

State of Louisiana  
DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF COASTAL RESTORATION AND MANAGEMENT

August 20, 2008

Adam Borden  
Environmental Section, 5<sup>th</sup> Floor  
Federal Emergency Management Agency  
1 Seine Ct.  
New Orleans, LA 70114

RE: **C20080444**, Coastal Zone Consistency  
**St. Bernard Parish**  
Federal Assistance  
FEMA  
Construct a recreational complex in St. Bernard Parish  
**St. Bernard Parish, Louisiana**

Dear Mr. Borden:

The above referenced project has been reviewed for consistency with the approved Louisiana Coastal Resource Program (LCRP) as required by Section 307 of the Coastal Zone Management Act of 1972, as amended. Receiving financial assistance for this project, as proposed in the application, is consistent with the LCRP.

However, this authorization for assistance does not eliminate the need to obtain other Federal, state, or local approvals which may be required by law. **This project may require a Coastal Use Permit from this Department** and/or a Corps of Engineers Section 404/Section 10 Permit(s). Determination of Coastal Use Permit requirements can be obtained through the submission of a completed Coastal Use Permit Application to this Department. If you have any questions concerning this determination please contact Jeff Harris, Consistency Analyst at (225) 342-7591 or 1-800-267-4019.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Rives".

Jim Rives  
Administrator

JR/jdh

cc: Chris Davis, LDWF  
William McCartney, St. Bernard Parish

Coastal Management Division • Post Office Box 44487 • Baton Rouge, Louisiana 70804-4487  
(225) 342-7591 • Fax (225) 342-9439 • <http://www.dnr.state.la.us>

An Equal Opportunity Employer



**FEMA**

August 7, 2008

Robert Collins  
Deputy State Historic Preservation Officer  
Office of Culture Recreation and Tourism  
Post Office Box 44247  
Baton Rouge, LA 70804

RE: Section 106 Review Consultation, Hurricane Katrina  
*Undertaking:* Restoration and Improvement of Val Reiss Park, St. Bernard Parish  
*Applicant:* St. Bernard Parish  
*Finding:* **No Historic Properties Affected**

Dear Ms. Breaux:

The Federal Emergency Management Agency (FEMA) will be providing funds authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, in response to the following major Disaster Declarations;

- 1) FEMA-DR-1603-LA, dated August 29, 2005, as amended
- 2) FEMA-DR-1607-LA, dated September 23, 2005.

FEMA is initiating Section 106 review for the above referenced properties in accordance with the Programmatic Agreement among FEMA, the Louisiana State Historic Preservation Officer (SHPO), the Louisiana Office of Homeland Security and Emergency Preparedness (LOHSEP) and the Advisory Council on Historic Preservation (ACHP) dated December 3, 2004. It is proposed that federal funding through FEMA's Public Assistance program be provided to St. Bernard Parish (**Applicant**) to restore and improve Val Reiss Park into the main recreational facility for St. Bernard Parish (**Undertaking**). The total Area of Potential Effect (APE) for this undertaking is approximately 33 acres (Figure 1).

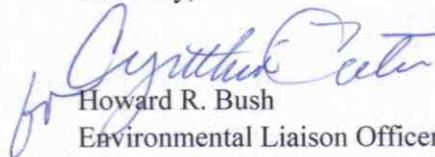
There are no structures within the park that could be considered eligible for the National Register of Historic Places. Upon consultation of data provided by the Louisiana SHPO, there are no recorded archaeological sites located within a 0.5 mile radius from the proposed project area. This area is not located within an existing or proposed National Register Historic District. The project area falls within the Orleans Parish Low Probability Zone for occurrence of historic or prehistoric cultural resources. FEMA archaeologists conducted a site visit to the location on September 28, 2007. No evidence of historic or prehistoric cultural resources was noted during surface inspection of exposed/eroded areas within the APE. The park is located in a low-lying, boggy

area, which has been filled with dredge material from the adjacent Forty Arpent Canal. Soil maps indicate that the APE is a former saline marsh/backswamp area that has been drained and filled in the modern era.

Based on the field inspection, the lack of evidence indicating earlier structures in the area, and the project's location in a low-probability zone for the occurrence of cultural resources, it is the recommendation of FEMA archaeologists that no historic properties or archaeological resources will be affected by the proposed undertaking. FEMA requests SHPO concurrence with its finding of "**No Historic Properties Affected.**"

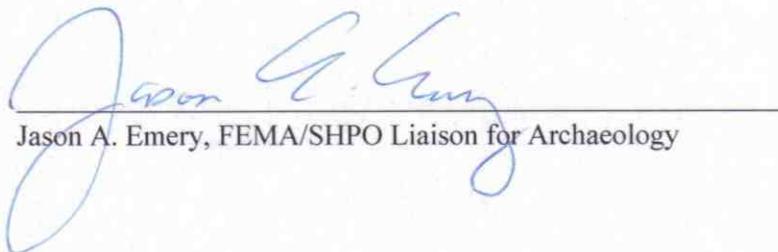
Your prompt review of this project is greatly appreciated. Should you need any additional information please contact Michael Wilder, archaeologist at 703-772-7612.

Sincerely,



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

The FEMA/SHPO liaison concurs with the finding of **No Historic Properties Affected** as a result of this Undertaking.

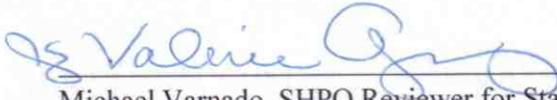


---

Jason A. Emery, FEMA/SHPO Liaison for Archaeology

8/6/2008  
Date

The SHPO Reviewer for Standing Structures concurs with the finding of **No Historic Properties Affected** as a result of this Undertaking.



Michael Varnado, SHPO Reviewer for Standing Structures

8/6/08

Date

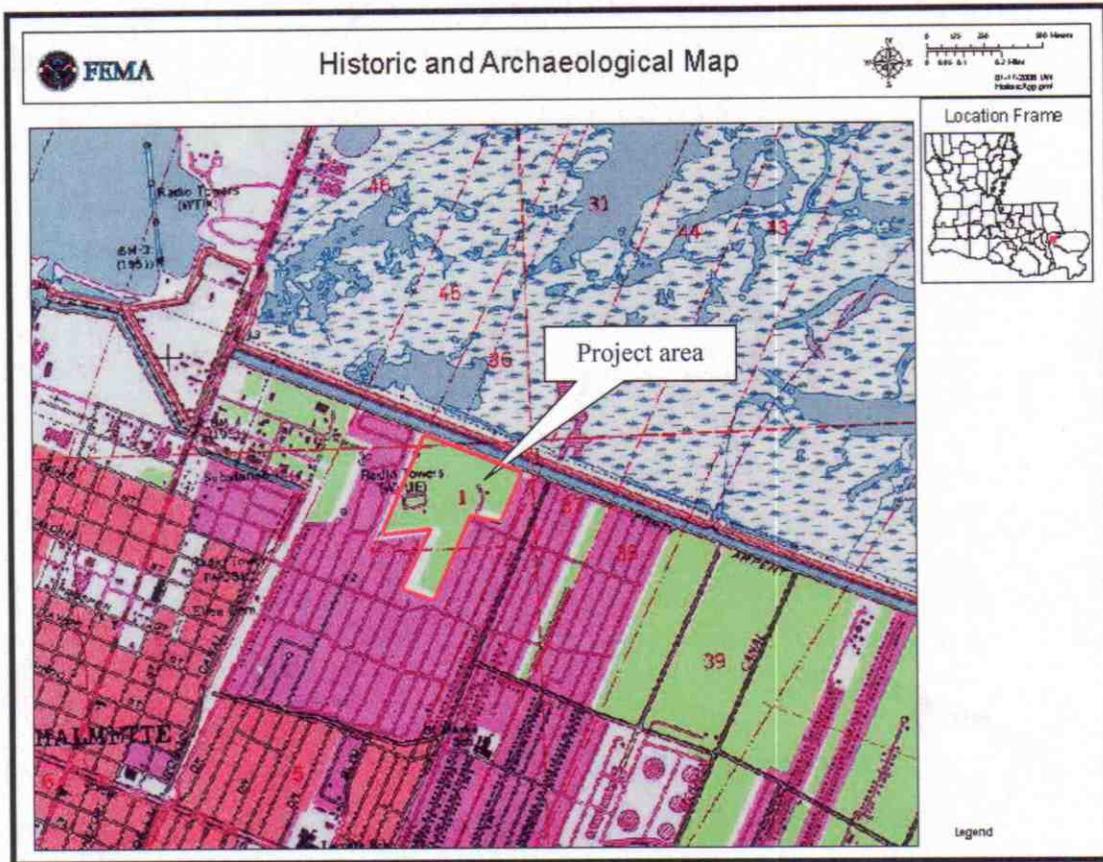


Figure 1. Location of the project area.