

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- 2006

See 44 Code of Federal Regulation Part 10

Project Name/Number: Fire Station # 6/ PW 4941 Version 1/ 087-99087-00

Project Location: 4119 East Judge Perez Dr., Meraux, St. Bernard Parish, Louisiana 70075
Latitude: 29.93616, Longitude: -89.92345

Project Description: Strong winds and flooding associated with Hurricane Katrina caused extensive damage to Fire Station # 6 in Meraux. This Project Worksheet (Version 1) is for the replacement of the facility including upgrades to codes and standards. The original 2,752 square foot, one story facility will be replaced with a two story facility of the same capacity. In order to bring the two story facility to codes and standards, a lift and two stairways will have to be added. The total square footage for these additions will be 354 square feet.

Documentation Requirements

- (Short version) All consultation and agreements implemented to comply with the National Historic Preservation Act, Endangered Species Act, and Executive Orders 11988, 11990 and 12898 are completed and no other laws apply. **(Review Concluded)**
- (Long version) All applicable laws and executive orders were reviewed. Additional information for compliance is attached to this REC and/or included in project files, as applicable.

National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review. **(Review Concluded)**
- Programmatic Categorical Exclusion - Category (Reference PCE in comments) **(Review Concluded)**
- Categorical Exclusion - Category xv
 - No Extraordinary Circumstances exist.
Are project conditions required? Yes (see section V) No **(Review Concluded)**
 - Extraordinary Circumstances exist (See Section IV).
 - Extraordinary Circumstances mitigated. (See Section IV comments)
Are project conditions required? Yes (see section V) No **(Review Concluded)**
- Environmental Assessment
- Supplemental Environmental Assessment (Reference EA or PEA in comments)
- Environmental Impact Statement

Comments: This project fits the criteria of Categorical Exclusion xv: Repair, reconstruction, restoration, elevation, retrofitting, upgrading to codes and standards, or replacement of any facility in a manner that substantially conforms to the preexisting design, function, and location.

Reviewer and Approvals

Project is Non-Compliant (See attached documentation justifying selection).

FEMA Environmental Reviewer:

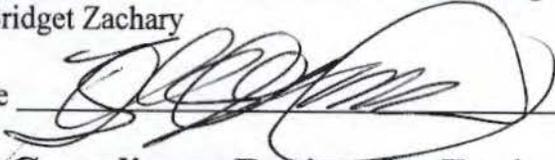
Name: Nicole Poret

Signature Nicole Poret Date 3/15/07

FEMA Regional Environmental Officer or Delegated Approving Official:

Name: Bridget Zachary

Signature



Date 3-15-07

I. Compliance Review for Environmental Laws (other than NEPA)

A. National Historic Preservation Act (NHPA)

- Not type of activity with potential to affect historic properties.
- Activity meets Programmatic Agreement, December 3, 2004. Appendix A: Allowance No.
Are project conditions required? Yes (see Section V) No
- Programmatic Agreement not applicable, must conduct standard Section 106 Review.

HISTORIC BUILDINGS AND STRUCTURES

- No historic properties that are listed or 45/50 years or older in project area. **(Review Concluded)**
- Building or structure listed or 45/50 years or older in project area and activity not exempt from review.
 - Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
 - Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
 - No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file).
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
 - Resolution of Adverse Effect completed. (MOA on file)
Are project conditions required Yes (see Section V) No **(Review Concluded)**

ARCHEOLOGICAL RESOURCES

- Project affects only previously disturbed ground. **(Review Concluded)**
- Project affects undisturbed ground.
 - Project area has no potential for presence of archeological resources
 - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation on file). **(Review Concluded)**
 - Project area has potential for presence of archeological resources
 - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)
Are project conditions required Yes (see Section V) No **(Review Concluded)**
 - Determination of historic properties affected
 - NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file).
Are project conditions required Yes (see Section V) No **(Review Concluded)**
 - NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence on file)
 - No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
 - Resolution of Adverse Effect completed. (MOA on file)
Are project conditions required? Yes (see Section V) No **(Review Concluded)**

Comments: The structure does not meet the 50-year-criterion, nor does it possess the level of exceptional importance required by criteria consideration of the National Register guidelines to be considered eligible for the National Register of Historic Places. Therefore, the proposed work will have no effect on historic properties. Scope of work indicates ground disturbing activities associated with demolishing and rebuilding the structure within its pre-disaster footprint only. Upon consultation of data provided by the State Historic Preservation Officer (SHPO), there are no known archaeological sites within 0.5 miles of the project area. Demolition must follow the Lower-Impact Demolition Stipulations, which is attached. If during the course of work, archaeological artifacts or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds, as outlined the attached Lower-Impact Demolition Stipulations. Failure to comply with these stipulations may jeopardize receipt of federal funding.

Correspondence/Consultation/References: NHPA effect determinations made by Richard Rose, FEMA Historic Preservation Specialist.

B. Endangered Species Act

- No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action. **(Review Concluded)**
- Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.
- No effect to species or designated critical habitat. (See comments for justification)
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) **(Review Concluded)**
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - Likely to adversely affect species or designated critical habitat
 - Formal consultation concluded. (Biological Assessment and Biological Opinion on file)
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments:

Correspondence/Consultation/References: Endangered Species Summary for USFWS Consultation, letter to Don Fairley dated September 15, 2007

C. Coastal Barrier Resources Act

- Project is not on or connected to CBRA Unit or Otherwise Protected Area **(Review Concluded)**.
- Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)
- Proposed action an exception under Section 3505.a.6 **(Review Concluded)**
 - Proposed action not excepted under Section 3505.a.6.
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments:

Correspondence/Consultation/References: Louisiana Coastal Barrier Resource System Maps referenced March 6, 2007.

D. Clean Water Act

- Project would not affect any waters of the U.S. **(Review Concluded)**
- Project would affect waters, including wetlands, of the U.S.
- Project exempted as in kind replacement or other exemption. **(Review Concluded)**
 - Project requires Section 404/401/or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits.
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: If required by Louisiana Department of Environmental Quality (LDEQ), the applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution prevention plan to prevent sediment and construction material transport from the sites (regulated under the National Pollutant Discharge Elimination System (NPDES) program, Section 402). All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.

Correspondence/Consultation/References: USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried on March 6, 2007.

E. Coastal Zone Management Act

- Project is not located in a coastal zone area and does not affect a coastal zone area **(Review concluded)**
- Project is located in a coastal zone area and/or affects the coastal zone
- State administering agency does not require consistency review. **(Review Concluded)**.
 - State administering agency requires consistency review.
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: Proposed site occurs on previously disturbed land and does not require a Louisiana Department of Natural Resources (LDNR) Coastal Management Division Joint Permit.

Correspondence/Consultation/References: Louisiana Coastal Zone maps queried March 6, 2007

F. Fish and Wildlife Coordination Act

- Project does not affect, control, or modify a waterway/body of water. **(Review Concluded)**
- Project affects, controls or modifies a waterway/body of water.
 - Coordination with USFWS conducted
 - No Recommendations offered by USFWS. **(Review Concluded)**
 - Recommendations provided by USFWS.
 - Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments:

Correspondence/Consultation/References: Damage description and scope of work from Project Worksheet 4941 Version 1

G. Clean Air Act

- Project will not result in permanent air emissions. **(Review Concluded)**
- Project is located in an attainment area. **(Review Concluded)**
- Project is located in a non-attainment area.
 - Coordination required with applicable state administering agency.
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: The proposed project includes activities that would produce a minor, temporary, and localized impact on air quality from vehicle emissions and fugitive dust particles. No long-term air quality impact is anticipated. To reduce potential short term effects to air quality from construction related activities, the contractor will be responsible for keeping all excavated areas periodically sprayed with water (when dry), all construction vehicles should be limited to 15 mph in the work area, and all equipment maintained in good working order to minimize pollution/fugitive dust.

Correspondence/Consultation/References: EPA Region 6 Non-attainment Map, damage description and scope of work from Project Worksheet 4941 Version 1

H. Farmland Protection Policy Act

- Project does not affect designated prime or unique farmland. **(Review Concluded)**
- Project causes unnecessary or irreversible conversion of designated prime or unique farmland.
 - Coordination with Natural Resource Conservation Commission required.
 - Farmland Conversion Impact Rating, Form AD-1006, completed.
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: The project site is in a developed urbanized area and FPPA is precluded.

Correspondence/Consultation/References: <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx> queried March 15, 2007

I. Migratory Bird Treaty Act

- Project not located within a flyway zone. **(Review Concluded)**
- Project located within a flyway zone.
 - Project does not have potential to take migratory birds. **(Review Concluded)**
 - Are project conditions required? Yes (see section V) No **(Review Concluded)**
 - Project has potential to take migratory birds.
 - Contact made with USFWS
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: The site is an existing disturbed area with little value to migratory birds and would not be included in the USFWS migratory bird management program.

Correspondence/Consultation/References: Damage description and scope of work from Project Worksheet 4941 Version 1

J. Magnuson-Stevens Fishery Conservation and Management Act

- Project not located in or near Essential Fish Habitat. **(Review Concluded)**
- Project located in or near Essential Fish Habitat.

- Project does not adversely affect Essential Fish Habitat. **(Review Concluded)**
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
- Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)
 - NOAA Fisheries provided no recommendation(s) **(Review Concluded)**
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - NOAA Fisheries provided recommendation(s)
 - Written reply to NOAA Fisheries recommendations completed.
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: Project is not located in or near any surface waters with the potential to affect EFH species.
Correspondence/Consultation/References: Damage description and scope of work from Project Worksheet 4941 Version 1

K. Wild and Scenic Rivers Act

- Project is not along and does not affect Wild or Scenic River (WSR) - **(Review Concluded)**
- Project is along or affects WSR
 - Project adversely affects WSR as determined by NPS/USFS. **FEMA cannot fund the action.** (NPS/USFS/USFWS/BLM consultation on file) **(Review Concluded)**
 - Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments:
Correspondence/Consultation/References: National Wild and Scenic Rivers <http://www.nps.gov/rivers/wildriverslist.html>.

L. Other Relevant Laws and Environmental Regulations

Resource Conservation and Recovery Act

Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials (such as asbestos and lead based paint) and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

Formosan Termite Initiative Act

In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana parishes of Calcasieu, Cameron, Jefferson Davis, Orleans, Jefferson, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, Tangipahoa and Washington are under quarantine. The movement of wood or cellulose material, temporary housing or architectural components (e.g. beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the Commissioner of the Louisiana Department of Agriculture and Forestry or his designee(s).

II. Compliance Review for Executive Orders

A. E.O. 11988 - Floodplains

- No Effect on Floodplains/Flood levels and project outside Floodplain - **(Review Concluded)**
- Located in Floodplain or Effects on Floodplains/Flood levels
 - No adverse effect on floodplain and not adversely affected by the floodplain. **(Review Concluded)**
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - Beneficial Effect on Floodplain Occupancy/Values **(Review Concluded)**.
 - Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
 - 8 Step Process Complete - documentation on file
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: The parish of St. Bernard is enrolled in the National Flood Insurance Program (NFIP) as of 03/13/70. Per Flood Insurance Rate Map (FIRM) panel number 2252040295B dated 05/01/85; project is located within an "A2" zone, area of 100-yr flooding, base flood elevations and flood hazard factors as determined. Project is for replacement of a building with a two story building to its predisaster function in a special flood hazard area. Replacement/new construction must coordinate and comply with local floodplain ordinances, and be built to current codes and standards. Elevation

information, signed and sealed by a licensed surveyor, engineer, or architect must be obtained and filed for verification of compliance. Applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. Applicant is responsible for obtaining and retaining all permits and certificates for verification. All coordination pertaining to these permit(s), should be documented to the local floodplain administrator and copies provided to the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP) and FEMA as part of the permanent project files. In compliance with E.O. 11988, an 8-step process, showing considered alternatives, was completed and is attached. Replacement of the building must be elevated to or above the Advisory Base Flood Elevation (ABFE). Per 44 CFR 9.11 (d)(9), mitigation or minimization standards must be applied where possible. The replacement of building contents, materials and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the ABFE per the ABFE maps. Per 44 CFR 9.12, applicant must publish a final public notice 15 days prior to the start of construction activities. Final public notice is to be forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files.

Correspondence/Consultation/References: FEMA Flood Insurance Rate Map, Community Panel No. 225204029B, dated 05/01/85. J. Schexnayder, CFM

B. E.O. 11990 - Wetlands

- No Effects on Wetland(s) and project located outside Wetland(s) - **(Review Concluded)**
 - Located in Wetland or effects Wetland(s)
 - Beneficial Effect on Wetland - **(Review Concluded)**
 - Possible adverse effect associated with constructing in or near wetland
 - Review completed as part of floodplain review
 - 8 Step Process Complete - documentation on file
- Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments:

Correspondence/Consultation/References: USFWS NWI map accessed on-line March 15, 2007.

C. E.O. 12898 - Environmental Justice for Low Income and Minority Populations

- No Low income or minority population in, near or affected by the project - **(Review Concluded)**
 - Low income or minority population in or near project area
 - No disproportionately high and adverse impact on low income or minority population- **(Review Concluded)**
 - Disproportionately high or adverse effects on low income or minority population
- Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: The percent populations of 70075 are: 92.5% Caucasian, 3.8% African American and 3.7% Hispanic. The median household income in 1999 was \$ 47,958 and 7.8 % of families are below poverty level.

Correspondence/Consultation/References: U.S. Census bureau 2000 data at <http://factfinder.census.gov>, referenced March 15, 2007.

III. Other Environmental Issues

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

Comments:

None

Correspondence/Consultation/Reference:

IV. Extraordinary Circumstances

Based on the review of compliance with other environmental laws and Executive Orders, and in consideration of other environmental factors, review the project for extraordinary circumstances.

Yes

- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy

- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- (viii) Potential for adverse effects on health or safety; and
- (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

Comments:

V. Environmental Review Project Conditions

Project Conditions:

1. Demolition must follow the Lower-Impact Demolition Stipulations, which is attached. If during the course of work, archaeological artifacts or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds, as outlined the attached Lower-Impact Demolition Stipulations.
2. If required by Louisiana Department of Environmental Quality (LDEQ), the applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution prevention plan to prevent sediment and construction material transport from the sites (regulated under the National Pollutant Discharge Elimination System (NPDES) program, Section 402). All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
3. The proposed project includes activities that would produce a minor, temporary, and localized impact on air quality from vehicle emissions and fugitive dust particles. No long-term air quality impact is anticipated. To reduce potential short term effects to air quality from construction related activities, the contractor will be responsible for keeping all excavated areas periodically sprayed with water (when dry), all construction vehicles should be limited to 15 mph in the work area, and all equipment maintained in good working order to minimize pollution/fugitive dust.
4. Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials (such as asbestos and lead based paint) and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
5. In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana parishes of Calcasieu, Cameron, Jefferson Davis, Orleans, Jefferson, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, Tangipahoa and Washington are under quarantine. The movement of wood or cellulose material, temporary housing or architectural components (e.g. beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the Commissioner of the Louisiana Department of Agriculture and Forestry or his designee(s).
6. Replacement/new construction must coordinate and comply with local floodplain ordinances, and be built to current codes and standards. Elevation information, signed and sealed by a licensed surveyor, engineer, or architect must be obtained and filed for verification of compliance. Applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. Applicant is responsible for obtaining and retaining all permits and certificates for verification. All coordination pertaining to these permit(s), should be documented to the local floodplain administrator and copies provided to the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP) and FEMA as part of the permanent project files. In compliance with E.O. 11988, an 8-step

process, showing considered alternatives, was completed and is attached. Replacement of the building must be elevated to or above the Advisory Base Flood Elevation (ABFE). Per 44 CFR 9.11 (d)(9), mitigation or minimization standards must be applied where possible. The replacement of building contents, materials and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the ABFE per the ABFE maps. Per 44 CFR 9.12, applicant must publish a final public notice 15 days prior to the start of construction activities. Final public notice is to be forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files.