

# Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** Dravo Sewer Force Main Repair and Mitigation by Burial and Relocation within Existing Levee Right-of-Way

PW(s): 20653-0 and 20654-0

FIPS: 087-99087-00

DR 1603 - LA - Katrina

**Applicant Name:** St. Bernard Parish Government

**Project Location:** 40 Arpent Canal (Bartolo Drive Bridge) Chalmette, LA; St. Bernard Parish  
Latitude: 29.95145, Longitude: -89.93404 (Attached Plans Dated January 2012  
Incorporated by Reference)

## **Project Description:**

The Department of Homeland Security (DHS) and the White House Council on Environmental Quality (CEQ) have established Alternative Arrangements (AA) to meet the requirements of the National Environmental Policy Act (NEPA) and the CEQ Regulations for Implementing the Procedural Requirements of NEPA to Reconstruct Critical Infrastructure in the New Orleans Metropolitan Area (NOMA). AA will enable FEMA, as a component of DHS, to consider the potential for significant impacts to the human environment from its approval to fund the reconstruction of critical physical infrastructure in NOMA. This proposed project meets AA qualifications for the reconstruction of Critical Infrastructure in the NOMA. For more information visit [www.fema.gov/plan/ehp/noma/index.sht](http://www.fema.gov/plan/ehp/noma/index.sht).

The Federal Emergency Management Agency (FEMA), Environmental and Historic Preservation (EHP) Department at the Louisiana Recovery Office (LRO) has determined through its Special Considerations review that the Recovery School District (applicant) public involvement process meets the requirements of the National Environmental Policy Act (NEPA) and Alternative Arrangements (AA). Those requirements comply with the programmatic agreement between the CEQ, DHS, and FEMA.

Hurricane Katrina storm surge and winds damaged St. Bernard Parish and a presidential major disaster was declared, DR-1603. As an eligible applicant for federal public assistance, the St. Bernard Parish Government (the applicant) seeks a grant to restore damaged infrastructure. Flood from heavy rain and storm surge overtopped the 40 Arpent Canal levee. The resulting hydraulic forces damaged the St. Bernard Parish sanitary sewer force main where it crosses the Lake Borgne Basin Levee District Pump Station No. 3 and levee, which were also damaged as a result of the storm. The damaged piping is an essential link in a loop of piping that circumvents the Pump Station on its west, north, and east sides.

The U.S. Army Corps of Engineers (USACE) is providing funding and are the project manager and engineer-of-record for the project for the repairs to the Pump Station and levee. The USACE and Lake Borgne Basin Levee District have determined that safe and expeditious repair work at the pump station will be impeded by the presence of the sewer force main. In order to facilitate the storm damage repair to the Pump Station and levee, the Lake Borgne Basin Levee District, in coordination with the USACE, have requested that St. Bernard Parish relocate the sewer force main. The relocation of the sewer force main is required not only to facilitate the needed repairs but also to meet the requirement that sewage be continuously directed to the new Consolidated St. Bernard Wastewater Treatment Plant. Relocation will allow safe continuous operation of the sewer main and will minimize the possibility of pipe rupture during the levee repairs.

The current sewer force main is routed over and through the levee and then runs outside the protection of the levee along the levee toe toward the Consolidated Wastewater Treatment Plant and then routes through and over

the levee into the Consolidated Wastewater Treatment Plant. Plans have been provided by St. Bernard Parish showing the proposed route of the new piping (attached herein). In order to mitigate risk from future flooding and to reduce the possibility of sewage release, the new piping will be buried by directional boring. It was determined that directional boring and burial avoids installing a temporary sewage force main, eliminates potential conflicts with levee repairs and maintenance operations, and avoids the possibility that the piping will interfere with future response and recovery operations.

Specific project activities will include directional boring and installation of new sewer force main along the protected toe of the levee, connection with the existing system, and removal and demolition of the storm damaged sewer force main.

As part of the Greater New Orleans Area critical infrastructure, this project qualifies for expedited considerations under the Alternative Arrangements for NEPA compliance. The AA process ([www.fema.gov/plan/ehp/noma](http://www.fema.gov/plan/ehp/noma)) has been activated to address the basic elements of NEPA for actions taken to restore critical infrastructure devastated by Hurricane Katrina.

**National Environmental Policy Act (NEPA) Determination**

- Statutorily excluded from NEPA review (Review Concluded)
- Programmatic Categorical Exclusion - Category **(Review Concluded)**
- Categorical Exclusion (Category)
  - 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)**
- Alternative Arrangements
  - Public Involvement Plan on file (see comments below)  
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:** Based on documentation provided by the sub-applicant, FEMA's Environmental / Historic Preservation Section and the Alternatives Arrangement team determined that the St. Bernard Parish provided sufficient documentation to demonstrate a satisfactory public involvement process for repairing the Dravo Sewer Force Main in St. Bernard Parish, LA. Any changes to the scope of work will require re-submission through the state to FEMA and requires re-evaluation for compliance with national environmental policies. The applicant is responsible for obtaining and complying with all local, state and federal permits. Non-compliance with this requirement may jeopardize receipt of federal funds.

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

**Reviewer and Approvals**

**FEMA Environmental Reviewer:**

Name: John Renne, Environmental Protection Specialist, FEMA LRO (CTR)

Signature John Renne Date 3/13/13

**FEMA Environmental Liaison Officer or Delegated Approving Official:**

Name: LeSchina Holmes, Lead Environmental Protection Specialist, FEMA LRO

Signature LeSchina Holmes Date 03.13.2013

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

## **A. National Historic Preservation Act (NHPA)**

- Not type of activity with potential to affect historic structures or archaeological resources (**Review Concluded**)
- Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (date of agreement and allowance number in comments) - **Review Concluded**
- Applicable executed Programmatic Agreement (August 17, 2009). See project review below for historic structures and archaeological resources.
- Other Programmatic Agreement dated \_\_\_\_\_ applies

## **HISTORIC BUILDINGS AND STRUCTURES**

- No historic properties that are listed or 50 years or older in project area. (**Review Concluded**)
- Building or structure 50 years or older or listed on the National Register in the 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 or grounds associated with a historic structure
  - Project area has no potential for presence of archeological resources
    - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence 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:** 03/07/2013: The scope of work in Version 0 meets the criteria in Appendix C: Programmatic Allowances, Item I, Sections A and F of FEMA's Programmatic Agreement (PA) dated August 17, 2009 and amended on July 22, 2011. In accordance with this PA, FEMA is not required to determine the National Register eligibility of properties where work performed meets the Appendix C Criteria.

**Correspondence/Consultation/References:** Michael Oberndorf, Archaeologist/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:** 03/13/2013. Project will have no effect on endangered species. No further consultation is required.

**Correspondence/Consultation/References:** J. Renne, Environmental Specialist

### 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:** Project is not on or connected to CBRA Unit or otherwise protected area.

**Correspondence/Consultation/References:** Louisiana Coastal Barrier Resource System Maps referenced 3/12/2013

### 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 of Clean Water Act or Section 9/10 of Rivers and Harbors Act permit, including qualification under Nationwide Permits.

Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

Project would affect waters of the U.S. by discharging to a surface water body.

**Comments:** 03/13/2013 - The applicant is responsible for coordinating with and obtaining any required Section 401 and Section 404 permits(s) from the United States Army Corps of Engineers (USACE) prior to initiating work. The applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.

If required by 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 NPDES Program, Section 402). A Louisiana Pollution Discharge Elimination System (LPDES) permit will be required in accordance with the CWA and the Louisiana Clean Water Code. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.

The project is unlikely to affect waters of the United States. Care should be taken, however to ensure that any potentially hazardous or toxic materials used for or generated during power washing, cleaning, or any other construction activities, do not impact any local waterways, wetlands, or nearby stormwater conveyance systems. Potentially hazardous wastes generated during these processes should be isolated, contained, and disposed of in an approved manner. The applicant shall be responsible for complying with all relative rules of the Clean Water Act (CWA). No activity performed should have any adverse impact on waters of the state.

**Correspondence/Consultation/References:** USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried 3/12/2013. Site visit conducted by J. Renne, M. Myers, and W. Berggren 1/18/2013.

### E. Coastal Zone Management Act

Project is not located in a coastal zone area and does not affect a coastal zone area **(Review concluded)**

Record of Environmental Consideration (Version April 2007)

- 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 should be contacted to determine if consistency review required.
- Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

**Comments:** This project is located within the Louisiana Coastal Zone. The applicant is responsible for coordinating with and obtaining any required permit(s) from the Louisiana Department of Natural Resources' (LDNR) Coastal Management Division (CMD) or the St. Bernard Parish local coastal zone management office prior to initiating work. The applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.

**Correspondence/Consultation/References:** Louisiana Coastal Zone maps queried 3/12/ 2013.

## 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:** Project Scope does not include impoundment, diversion, control, or other modification of waters of any stream or body of water.

**Correspondence/Consultation/References:** NEPA Assist Map (<http://nepassisttool.epa.gov>) queried 3/12/2013

## 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 machinery emissions and fugitive dust particles. No long-term air quality impact is anticipated.

**Correspondence/Consultation/References:** John Renne, Environmental Protection Specialist.

## H. Farmland Protection Policy Act

- Project will not affect undisturbed ground. **(Review Concluded)**
- Project has a zoning classification that is other than agricultural or is in an urbanized area. **(Review Concluded)**
- 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 Resources Conservation Service required.
    - Farmland Conversion Impact Rating, Form AD-1006, completed.
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

**Comments:** Project will be within the existing levee footprint and does not affect undisturbed ground.

**Correspondence/Consultation/References:** Site visit conducted by J. Renne, M. Myers, and W. Berggren 1/18/2013.

## 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 in an existing disturbed area (the maintained levee right-of-way) with little value to migratory birds and would not likely adversely affect migratory birds.  
**Correspondence/Consultation/References:** USFWS guidance letter dated September 27, 2005.

### 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 conditioned to obtain required permits, comply with permit conditions, and implement best management practices that will minimize and mitigate the possibility for adverse effects to essential fish habitat.  
**Correspondence/Consultation/References:** NOAA Fisheries EFH Map (<http://www.habitat.noaa.gov/protection/efh/efhmapper/index.html>) referenced 3/12/2013.

### 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:** Project is not along and does not affect and Wild or Scenic Rivers (WSR).  
**Correspondence/Consultation/References:** National Wild and Scenic Rivers (<http://www.nps.gov/rivers/wildriverslist.html>) queried 3/12/2013.

### L. Resource Conservation and Recovery Act

**Comments:** Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project applicant shall handle, manage, and dispose of petroleum products, hazardous materials and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.  
**Correspondence/Consultation/References:** John Renne, Environmental Protection Specialist.

### M. Other Relevant Laws and Environmental Regulations

## 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)

A Final Public Notice is required

**Comments:** 03/12/2013 - Floodplain - Version 0 - The Parish of St. Bernard enrolled in the National Flood Insurance Program (NFIP) on 3/13/1970. As per revised Preliminary Digital Flood Insurance Rate Map Panel numbers 22 087C 0478 D, 22 087C 0479 D, and 22 087C 0483 D dated 11/9/2012, the site is located within zone "AE" of the base floodplain. The project is new construction of a sewer force main in an existing right of way. Per 44 CFR 9.11(D)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11(D)(9), for the replacement of building contents, materials and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials and equipment outside or above the base floodplain. In compliance with Executive Order 11988, an 8-step process was completed, is attached and on file.

**Correspondence/Consultation/References:** J. Renne, CFM, Floodplain Specialist.

### B. E.O. 11990 - Wetlands

- No Effects on Wetland(s) and/or 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:** A review of the National Wetland Inventory (NWI) online mapper, accessed on 3/12/2013, for the site indicates that the proposed project area (the existing levee right-of-way) is not located within a designated wetland. Applicant should implement construction best management practices for equipment and materials storage and construction activities (including equipment and materials storage and construction activities) to prevent erosion and sedimentation to surrounding, nearby, or adjacent wetlands. These measures are to ensure that wetlands are not adversely affected per the Clean Water Act and Executive Order 11990.

The applicant is responsible for coordinating with and obtaining any required Section 401 and Section 404 permits(s) from the United States Army Corps of Engineers (USACE) prior to initiating work. The applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files. If required by 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 NPDES Program, Section 402). A Louisiana Pollution Discharge Elimination System (LPDES) permit will be required in accordance with the CWA and the Louisiana Clean Water Code. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.

The project is unlikely to affect waters of the United States. Care should be taken, however to ensure that any potentially hazardous or toxic materials used for or generated during power washing, cleaning, or any other construction activities, do not impact any local waterways, wetlands, or nearby stormwater conveyance systems. Potentially hazardous wastes generated during these processes should be isolated, contained, and disposed of in an approved manner. The applicant shall be responsible for complying with all relative rules of the Clean Water Act (CWA). No activity performed should have any adverse impact on waters of the state.

**Correspondence/Consultation/References:** USFWS NWI map accessed on-line 11/14/2012.

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

- Project scope of work has no potential to adversely impact any population **(Review Concluded)**
- No Low income or minority population in, near or affected by the project based on information gathered **(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: Project will have no environmental justice implications.  
Correspondence/Consultation/References: J. Renne, Environmental Specialist.

### III. Other Environmental Issues

Comments: None.  
Correspondence/Consultation/Reference: N/A

### IV. 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: None.

### V. Environmental Review Project Conditions

#### The following conditions apply as a condition of FEMA funding reimbursement:

- 1) This project is located within the Louisiana Coastal Zone. The applicant is responsible for coordinating with and obtaining any required permit(s) from the Louisiana Department of Natural Resources (LDNR) Coastal Management Division (CMD) prior to initiating work. The applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files. Projects may be coordinated by contacting LADNR at 1-225-342-9232.
- 2) The applicant is responsible for coordinating with and obtaining any required Section 401 and Section 404 permits(s) from the United States Army Corps of Engineers (USACE) prior to initiating work. The applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- 3) If required by 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 NPDES Program, Section 402). A Louisiana Pollution Discharge Elimination System (LPDES) permit will be required in accordance with the CWA and the Louisiana Clean Water Code. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- 4) The project is unlikely to affect waters of the United States. Care should be taken, however to ensure that any potentially hazardous or toxic materials used for or generated during power washing, cleaning, or any other construction activities, do not impact any local waterways, wetlands, or nearby stormwater conveyance systems.

Potentially hazardous wastes generated during these processes should be isolated, contained, and disposed of in an approved manner. The applicant shall be responsible for complying with all relative rules of the Clean Water Act (CWA). No activity performed should have any adverse impact on waters of the state.

- 5) Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project applicant shall handle, manage, and dispose of petroleum products, hazardous materials and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
- 6) The applicant shall comply with all local, state and federal requirements related to sediment control, disposal of solid waste, control and containment of spills, discharge of surface runoff and stormwater from the site
- 7) The applicant shall implement construction best management practices for equipment and materials storage and construction activities (including equipment and materials storage and construction activities) to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. These measures are to ensure that wetlands are not adversely affected per the Clean Water Act and Executive Order 11990.
- 8) If human bone or unmarked grave(s) are present with the project area, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four (24) hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two (72) hours of the discovery.
- 9) If during the course of work, archaeological artifacts (prehistoric or historic) 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. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO.
- 10) Per 44 CFR 9.11(D)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11(D)(9), for the replacement of building contents, materials and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials and equipment outside or above the base floodplain.