Record of Environmental Consideration

PW# 14282

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA – April 2007
See 44 Code of Federal Regulation Part 10

Project Name/Number: Riverbend Oxidation Pond / FIPS#: 087-99087-00

Applicant Name: St. Bernard Parish

Project Location: 7515 East Judge Perez Drive, St. Bernard Parish, Riverbend, Louisiana 70085
Latitude: 29.88349, Longitude: -89.87566

Project Description:
The Riverbend Oxidation Pond located at 7515 East Judge Perez Drive (29.88349N, -89.87566W) was damaged by Hurricane Katrina and is slated to be decommissioned in lieu of repair. The Riverbend Oxidation Pond is a 0.5 million gallons per day (MGD) oxidation pond with a single treatment cell approximately 5 acres in size that serves the eastern area of St. Bernard Parish. The scope of work associated with the Riverbend Oxidation Pond project includes the following activities. The Riverbend Oxidation Pond would be completely decommissioned and all flows would be transferred to the Munster Wastewater Treatment Plant (WWTP) on Munster Boulevard (29.94619, -89.92812), Meraux, LA. To transfer flows, a new 2.0 MGD pump station would be constructed in the southwest corner of the oxidation pond, along with a new 16-inch diameter, 31,300 foot long force main. The new proposed force main would run east along the south bank of the oxidation pond continuing north/northwest along the undeveloped southwestern bank of the Forty Arpent Canal to the Munster WWTP (29.94619N, -89.92812W). The site is bordered on the north by trees and heavy vegetation, on the south by an unnamed drainage canal, on the east by the forty Arpent Canal, and on the west by vegetation and Judge Perez Drive. The environment at the location of the Riverbend Oxidation Pond is comprised of an earthen levee with tall grass around the pond while the pond itself is characterized by open water partially filled with water hyacinth (*Eichhornia crassipes*). The new proposed force main would run east along the south bank of the oxidation pond continuing north/northwest along the undeveloped southwestern bank of the Forty Arpent Canal to the Munster WWTP (29.94619N, -89.92812W). The proposed segment of force main to be installed near the south bank of the pond is bordered on the north by the pond and on the south by an unnamed canal continuing along the southwestern bank of the Forty Arpent Canal to Munster WWTP.

The Department of Homeland Security (DHS) and the Council on Environmental Quality (CEQ) have established Alternative Arrangements 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. These alternative arrangements 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 project qualifies as an Alternative Arrangement for the Reconstruction of Critical Infrastructure in the New Orleans Metropolitan Area. For more information visit www.fema.gov/plan/ehp/noma/index.shtm

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 applicant, FEMA's Environmental / Historic Preservation Section and Alternatives Arrangement team has determined that St. Bernard Parish has provided sufficient documentation to support satisfactory public involvement for the consolidation project of multiple sewerage systems.
Correspondence/Consultation/References: Memorandum dated February 29, 2008, from David Dysart to Rick Kuss providing documentation of public involvement in sewerage system consolidation project.

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

Reviewer and Approvals

FEMA Environmental Reviewer:
Name: Brandon M. Clark, Environmental Specialist, FEMA LA TRO

Signature Brandon M. Clark Date 2/29/08

FEMA Environmental Liaison Officer or Delegated Approving Official:
Name: Cynthia Teeter, Deputy Environmental Liaison Officer, FEMA LA TRO

Signature Cynthia Teeter Date 2-29-08

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)**
☐ Activity meets Programmatic Agreement, December 3, 2004. Appendix A: Allowance No.
Are project conditions required? ☐ Yes (see Section V) ☐ No
☒ Programmatic Agreement not applicable for historic structures or archeological sites, must conduct standard Section 106 Review (see comments).
☐ Other Programmatic Agreement dated _____ applies

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 scope of work has no potential to affect archeological resources **(Review Concluded)**
☐ 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: FEMA, in consultation with the State Historic Preservation Officer (SHPO), has determined that the St. Bernard Sewer Consolidation will have No Effect on Historic Properties (per SHPO Correspondences dated 09/27/07, 01/16/08, and 01/21/08).

FEMA, in consultation with the State Historic Preservation Officer (SHPO), has determined that the St. Bernard Sewer Consolidation will have No Effect on Historic Properties with the condition that all ground-disturbing activities associated with this undertaking within the Chalmette National Battlefield be conducted while an archaeological monitor is present (SHPO Correspondences dated 09/27/07, 01/16/08, and 01/21/08). This undertaking includes the decommissioning of the Fazendville, Dravo, Heights Drive and Tiffany Courts Wastewater Treatment Plants, the construction of a new force main on Jean Lafitte Parkway, the expansion of the Munster WWTP, the upgrading of the Tiffany Court Package Plant, and the construction of a new force main connecting Tiffany Ct. and Heights Dr. pump stations with the new Riverbend pump station. Additionally, a new force main being constructed between the Munster and Violet WWTPs has been determined to have No Effect on Historic Properties (SHPO correspondence dated 09/27/07).
Correspondence/Consultation/References: Katie Wollan, Historic Preservation Specialist and Jerame J. Cramer, Historic Preservation Specialist/Archaeologist

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:
1) Suitable threatened or endangered species habitat may be present at or near the project site for Bald Eagle (*Haliaeetus leucocephalus*). In an electronic mail message dated February 22, 2008, the USFWS stated no objection to the project as proposed.
2) Per correspondence with USFWS dated February 20, 2008 this project has been reviewed for effects to Federal Trust Resources under the jurisdiction of the USFWS and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed, will have no effect on those resources. This finding fulfills the requirements under Section 7(a)(2) of the Act.
Correspondence/Consultation/References: Informal Consultation with Patti Holland, USFWS, February 22, 2008

C. Coastal Barrier Resources Act

☒ Project is not on or connected to CBRA Unit or Otherwise Protected Area **(Review Coucluded)**.
☐ 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 within a CBRA zone.
Correspondence/Consultation/References: Louisiana Coastal Barrier Resource System Maps referenced February 14, 2008

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: Based on the information provided and conditions observed by FEMA Environmental Staff at the project site, 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 the response to the Corps permit application.
Correspondence/Consultation/References:
1) USFWS National Wetlands Inventory map (http://www.fws.gov/nwi/) queried on November 29, 2007.
2) Informal Consultation with Patti Holland, USFWS, February 22, 2008
3) Site inspection conducted January 24, 2008

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 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 Management Zone. Projects within the coastal zone may require a coastal use permit or other authorization from DNR. Prior to initiation of work, projects should be coordinated by contacting LA DNR at 1-225-342-9232. If a permit or other authorization is required, applicant shall comply with all conditions of the permit.
Correspondence/Consultation/References: Louisiana Coastal Zone maps queried February 14, 2008

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: Per correspondence with USFWS dated February 20, 2008 this project has been reviewed for effects to Federal Trust Resources under the jurisdiction of the USFWS and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed, will have no effect on those resources. This finding fulfills the requirements under Section 7(a)(2) of the Act.
Correspondence/Consultation/References:
1) Louisiana Map (http://wwwlamap.doa.louisiana.gov/) queried November 29, 2007
2) Informal Consultation with Patti Holland, USFWS, February 22, 2008

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.
Correspondence/Consultation/References: Brandon M. Clark, 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 CPA-106, completed.
Are project conditions required? ☐ YES (see section V) ☒ NO (Review Concluded)

Comments: FEMA initiated consultation with the NRCS on February 22, 2008 regarding potential impacts to prime and unique farmland as defined in 7 CFR 658.2(a). According to their reply on February 26, 2008, the site is prime and unique farmland consisting primarily of Harahan clay, Westwego clay, and Schriever silty clay loam. The next step in the evaluation was to determine the Farmland Conversion Impact Rating for the site. That rating was 134. According to 7 CFR § 658.4, sites receiving a total score of less than 160 need not be given further consideration for protection.
Correspondence/Consultation/References: National Resource Conservation Service, Web Soil Survey (http://websoilsurvey.nrcs.usda.gov/app/) referenced November 29, 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: 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 not located in or near any surface waters with the potential to affect EFH species.
Correspondence/Consultation/References: Louisiana Map (http://wwwlamap.doa.louisiana.gov/) referenced November 29, 2007

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 Wild or Scenic River (WSR).
Correspondence/Consultation/References: National Wild and Scenic Rivers http://www.nps.gov/rivers/wildriverslist.html.

L. 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.

M. Other Relevant Laws and Environmental Regulations

None

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: St. Bernard Parish enrolled in the National Flood Insurance Program on 03/13/1970. Riverbend Oxidation Pond, per Flood Insurance Rate Map (FIRM) panel number 2252040460 b dated 05/01/1985, project is located within an "A1" zone, area of 100-yr flooding, base flood elevations and flood hazard factors as determined. Per St. Bernard Parish Advisory Base Flood Elevation (ABFE) map la-aa 37, dated 06/05/06, project is located in an "ABFE 2.5 ft. or 3 ft above Highest Existing Adjacent Grade (HEAG)" zone. Munster Wastewater Treatment Plant, per Flood Insurance Rate Map (FIRM) panel number 2252040290 b dated 05/01/1985, project is located within an "A2" zone, area of 100-yr flooding, base flood elevations and flood hazard factors as determined. Per St. Bernard Parish Advisory Base Flood Elevation (ABFE) map la-cc 36, dated 06/05/06, project is located in an "ABFE 1ft. or 3 ft above Highest Existing Adjacent Grade (HEAG)" zone. This improved project is for the decommission, relocation, and reconstruction of the St. Bernard Department of Public Works. Project is specifically for the routing of flows from Riverbend Oxidation Pond with a dedicated force main connecting to the Munster Wastewater Treatment Plant.
Correspondence/Consultation/References: A. C. Clark, CFM, Floodplain

B. E.O. 11990 - Wetlands

☒ No Effects on Wetland(s) and/or project located ontside 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: None
Correspondence/Consultation/References: USFWS NWI map accessed on-line November 29, 2007 and site inspection conducted on January 24, 2008

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 from http://factfinder.census.gov. **(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 population of the surrounding Zip Code according to the 2000 US Census Bureau fact sheet for St. Bernard Parish consists of approximately 88.3% Caucasian, 7.6% African American and 5.1% Hispanic or Latino of any race. In 1999 the median household income for the Parish was $35,939 and 13.1% of individuals were below the poverty line.
Correspondence/Consultation/References: U.S. Census bureau 2000 data at http://factfinder.census.gov, referenced February 14, 2008

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

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: This project qualifies for the National Environmental Policy Act (NEPA) Alternative Arrangements as set forth in the Federal Register notice of March 23, 2006 (Volume 71, Number 56).

V. Environmental Review Project Conditions

Project Conditions:

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

1. If during the course of work, archaeological artifacts (prehistoric or historic) 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. 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. In addition, if unmarked graves are present, 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 hours of the discovery. The applicant shall also notify FEMA and the Lonisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery. If this scope of work or the location of the new building changes outside of the current APE, this project will need to be resubmitted for further Section 106 review prior to ground disturbing activities taking place. Failure to comply with these stipulations may jeopardize receipt of federal funding.

2. The reconstruction should be coordinated the local floodplain administrator and comply with floodplain ordinance. In compliance with EO 11988, a completed 8-step process showing considered alternatives was completed. Per 44 CFR 9.11(d) (9), the replacement of building contents, materials and equipment, where possible, disaster proofing of the building and/or elimination of such future losses by relocation of those building contents, materials and equipment to or above the Advisory Base Floodplain Elevation (ABFE). Per 44 CFR 9.12, a cumulative final public notice was published 10/26/2007.

3. 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.

4. 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 (LAPDES) 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.

5. The applicant shall implement construction best management practices for equipment and materials storage and construction activities (including equipment and materials staging and stockpiling of temporarily excavated backfill material) 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.

6. 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 the response to the Corps permit application.