

# Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** La Reussite Sewer Project,  
Alternate/Improved Project No. 1136  
FIPS#: 075-99075-00/ Project Worksheet #s: 2625, 17568, 8804, 7975, 13739

**Applicant Name:** Plaquemines Parish

**Project Locations:** 35619 Highway 11, Buras, LA 70041-5215  
Location: LAT 29.80500; LONG -90.013423 (the WWTP)  
Right of Way on West Side of Highway 23  
La Reussite Plaquemines Parish  
Approximate Sewer Line(s) Coordinates  
Begin LAT 29.80489, LONG -90.014962  
Southwest to  
End LAT 29.772284, LONG -90.030086

## **Project Description:**

On August 29, 2005, Hurricane Katrina and its aftermath caused wind and flood damages to numerous facilities in Plaquemines Parish, which were subsequently deemed eligible for FEMA Public Assistance grant funds for repair/replacement. The Applicant has determined that it is not in their best interest to perform the eligible scopes of work and has chosen instead to request an Alternate Project.

The Applicant seeks federal grant funds for an Alternate Project, minus the applicable demolition costs, for a parish capital improvement project to repair and replace existing sewer lines along Highway 23 in Plaquemines Parish from the existing wastewater treatment plant to a location approximately two miles southeast along Highway 23. The project involves installation of a 12 inch sewer force main in existing and newly acquired right of way along the west side of Highway 23. The applicant indicated that new right of way was acquired as part of this proposed action. The plans provided show that new sewer force main lies in sewer servitudes. The 12 inch sewer force main extends approximately two miles along Highway 23 as shown in the reviewed plans between the coordinates shown above.

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

- Statutorily excluded from NEPA review (**Review Concluded**)
- Programmatic Categorical Exclusion - Category (**Review Concluded**)
- Categorical Exclusion - Category ix, xii, xv and xvi
  - 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:** 12/2/2010 - This project meets the criteria to utilize the Alternative Arrangement Process within the National Environmental Policy Act approved by the Council on Environmental Quality, DHS, and FEMA on 3/23/2006. Based on information provided by the applicant, the scope of work for this project is included in the Alternative Arrangement Process through the National Environmental Policy Act (NEPA). The applicant has provided sufficient documentation to demonstrate a satisfactory public involvement process. Any changes to this approved scope of work will require submission to, and evaluation and approval by, the State and FEMA prior to initiation of any work, for compliance with NEPA. The applicant is required to obtain and comply with all local, state, and federal permits and requirements. Non-compliance with the requirements noted above may jeopardize the receipt of federal funding.

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

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

**Reviewer and Approvals**

**FEMA Environmental Reviewer:**

Name: John Renne, Environmental Specialist, FEMA LRO

Signature John Renne Date 12/15/10

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

Name: Tiffany Spann, Deputy Environmental Liaison Officer, FEMA LRO

Signature Tiffany Spann Date 12/14/10

**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 (date in comments). 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)**

**Comment:** 9/13/10 - Ground disturbing activities are included in utility installation. The entire 2 mile corridor was visually inspected. All work will occur within a previously disturbed area. The scope of work meets the criteria in FEMA's Programmatic Agreement (PA) dated August 17, 2009, Appendix C: Programmatic Allowances, Item I, Section A. In accordance with this PA, FEMA is not required to consult with the SHPO where work performed meets these criteria. The applicant must comply with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) and the Inadvertent Discovery Clause, which can be found under the Environmental Review NHPA conditions. Any change to the approved scope of work will require reevaluation under Section 106. D. Owens, Historic Preservation 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:** Project is located in an urban or previously developed area. Neither listed species nor their habitat occur in or near this site that would be adversely impacted, thus FEMA finds there will be no effect to threatened or endangered species.

**Correspondence/Consultation/References:** USFWS emergency consultation provisions determined in letters dated September 15, 2005 for Katrina.

### 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 within a CBRA zone.

**Correspondence/Consultation/References:** Louisiana Coastal Barrier Resource System Maps referenced September 9, 2010.

### 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:** No affected jurisdictional waters of the U.S., including wetlands, occur in or near the project area.

**Correspondence/Consultation/References:** USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried on September 9, 2010.

### 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:** 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 LADNR. Projects may be coordinated by contacting LA DNR at 1-225-342-9232.

**Correspondence/Consultation/References:** Louisiana Coastal Zone maps queried September 9, 2010.

### 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:** Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) queried September 9, 2010.

### 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:** EPA Region 6 Non-attainment Map

### 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:** The site is located within an existing urban and developed area ROW and FPPA is precluded.  
**Correspondence/Consultation/References:** John Renne, Environmental Protection Specialist

### 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://www.lamap.doa.louisiana.gov/>) referenced September 9, 2010.

### 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

### Formosan Termite Initiative Act

In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana Parish of St. Tammany is 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)**
    - A Final Public Notice is required

**Comments:** Plaquemines Parish enrolled in the National Flood Insurance Program (NFIP) on 05/01/1985. As per the preliminary Draft Digital Flood Insurance Rates Map (DFIRM) panel number 22 075C 0075 D, dated 11/03/2008. The site is located within a 0.2% Chance Flood Zone and Special Flood Hazard Zones AE EL (3) and AE EL (7), not in VE Zones. The project is for repair and replacement of existing sewer lines in substantially the same footprint with slight deviation within and adjacent to existing rights of way and previously disturbed ground. Replacement must be coordinated with the local floodplain administrator regarding floodplain permitting requirements prior to the start of any development activities. In compliance with Executive Order 11988, Floodplains, an 8-step process, showing considered alternatives, was documented and is attached or on file. As per 44 CFR 9.11 (D) (9), mitigation or minimization standards must be applied to minimize the adverse effects in and to the floodplain and others. A cumulative final public notice was published 10/26/2007 – 11/02/2010 and is attached or on file. John Renne, CFM, Environmental Protection 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:** Review of the FWS National Wetlands Inventory map for the project site indicates no wetlands mapped on the current site.

**Correspondence/Consultation/References:** U.S. FWS NWI map accessed on-line September 9, 2010

### 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:** Facility rebuilt on existing disturbed site in nearly the same location and provides same public services.  
**Correspondence/Consultation/References:** John Renne, Environmental Protection Specialist

### 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:**

## **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 Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.
2. 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.
3. In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana Parish of Jefferson- is 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).
4. This project is located within the Louisiana Coastal Management Zone. LA Department of Natural Resources (DNR) has determined that receipt of federal assistance is consistent with the Louisiana Coastal Resource Program. Projects within the coastal zone may still require a coastal use permit or other authorization from DNR.

**Plaquemines Parish – La Reussite Sewer Extension Project  
Alternate Project  
FEMA 1603-DR-LA**

Executive Order 11988 - FLOODPLAIN MANAGEMENT  
Executive Order 11990 - WETLAND PROTECTION

**8-STEP PROCESS CHECKLIST**

Date: 09/15/2010

Prepared By: John Renne, CFM, Environmental/Floodplain Specialist

Project: On August 29, 2005, Hurricane Katrina and its aftermath caused wind and flood damages to numerous facilities in Plaquemines Parish, which were subsequently deemed eligible for FEMA Public Assistance grant funds for repair/replacement. The Applicant has determined that it is not in their best interest to perform the eligible scopes of work and has chosen instead to request an Alternate Project.

The Applicant seeks federal grant funds for an Alternate Project, minus the applicable demolition costs, for a parish capital improvement project to repair and replace existing sewer lines along Highway 23 in Plaquemines Parish from the existing wastewater treatment plant to a location approximately two miles southeast along Highway 23. The project involves installation of a 12 inch sewer force main in existing and newly acquired right of way along the west side of Highway 23. The applicant indicated that new right of way was acquired as part of this proposed action. A review of project conditions and a site reconnaissance indicate the work is nearly complete and is located in previously disturbed ground along an existing utility corridor adjacent to the highway. The plans provided show that new sewer force main lies in sewer servitudes. The 12 inch sewer force main extends approximately two miles along Highway 23 as shown in the reviewed plans between the coordinates shown above.

These projects must be conducted in accordance with conditions for federal actions in the floodplain as set forth in presidential Executive Order 11988, *Floodplains* and presidential Executive Order 11990, *Wetlands* and the implementing regulation found at 44 Code of Federal Regulations (CFR) Part 9, *Floodplain Management and Protection of Wetlands*. These regulations apply to all Agency actions which have the potential to affect floodplains or wetlands or their occupants, or which are subject to potential harm by location in floodplains or wetlands.

Additionally, all Public Assistance grant funded projects carried out in the floodplain or affecting the floodplain must be coordinated with the local floodplain administrator for a floodplain development permit and the action must be undertaken in compliance with relevant, applicable and required local codes and standards and thereby, will reduce the risk of future flood loss, minimize the

impacts of floods on safety, health, and welfare, and preserve and possibly restore beneficial floodplain values as required by Executive Order 11988.

Restoration projects conducted with Public Assistance grant funds must be carried out in accordance with the local floodplain management plan and ordinance and shall utilize the current Draft Preliminary Digital Flood Insurance Rate Maps as the "best available data" as a minimum standard. Exceptions to this requirement shall be reported to the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), FEMA Environmental, and the local floodplain manager before undertaking the action.

**STEP 1 Determine whether the proposed actions are located in a wetland and/or the 100-year floodplain (500-year floodplain for critical actions [44 CFR 9.4]); or whether they have the potential to affect or be affected by a floodplain or a wetland (see 44 CFR 9.7).**

The projects are located in relation to floodplains as mapped by:

Highway 23  
Plaquemines, Louisiana  
Latitude: 29.67266  
Longitude: -89.97841  
Preliminary DFIRM Panel: 22 075C 0200 F, (dated 11/13/2008)  
0.2% Chance Flood Zone and  
Special Flood Hazard Area Zone AE EL (3) and Zone AE EL (7)

The project is located in a wetland as identified by:

A review of the U.S. Fish and Wildlife National Wetland Inventory indicates the proposed project locations are not located in a mapped wetland or U.S. waters and will not likely adversely affect wetlands.

**STEP 2 Notify the public at the earliest possible time of the intent to carry out an action in a floodplain or wetland, and involve the affected and interested public in the decision making process (see 44 CFR 9.8).**

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Notice will be or has been provided by:

A Cumulative Initial Public Notice was published statewide 11/7/2005-11/9/2005. Additional public notice shall be provided upon finalization of the RSD work plans.

**STEP 3 Identify and evaluate practicable alternatives to locating the proposed action in a floodplain or wetland (including alternative sites, actions and the "no**

**action" option) [see 44 CFR 9.9]. If a practicable alternative exists outside the floodplain or wetland, FEMA must locate the action at the alternative site.**

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - Alternative identified in the EA Document or is described below:

- **Alternative 1:** No Action – No action would leave the community without the benefit of the remuneration of disaster assistance.
- **Alternative 2:** Relocation outside the Special Flood Hazard Area – Relocating the facilities would not meet the identified project objectives, therefore, that applicant considers this impracticable.
- **Alternative 3: Proposed Action** - Restoration in the currently proposed locations with mitigation (all steps necessary to minimize the potential adverse effects of the proposed action) - The proposed project is for replacment of sewer lines including applicable codes and standards and conditions to comply with the intent of EO 11988 and the implementing regulations at 44 CFR Part 9.

The executive order allows for locating these actions in the floodplain because the impacts of the action can be minimized and the importance of the action clearly outweighs other Executive Order requirements.

**STEP 4 Identify the full range or potential direct or indirect impacts associated with, the occupancy or modification of floodplains and wetlands and the potential direct and indirect support of floodplain and wetland development that could result from the proposed action (see 44 CFR 9.10).**

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Alternatives identified as described below:

**Alternative 3:** Restoration at the currently proposed locations results in repair which has been determined to be a practicable alternative by the community stakeholders.

Restoration of the public infrastructure in the special flood hazard area will not reduce investment at risk in the floodplain, eliminate the vulnerabilities to human safety from flood, and will increase the magnitude of future property loss in the next flood. The action may promote future development in the floodplain and result in increased damages and flood loss in the next disaster.

A review of the natural environment, social concerns, and the economic aspects of the proposed projects indicates that replacement of the facilities in their proposed and desired locations is a practicable alternative and that no practicable alternative has been identified outside the special flood hazard area.

**STEP 5 Minimize the potential adverse impacts and support to or within floodplains and wetlands to be identified under step # 4, restore and preserve the natural and beneficial values served by floodplains, and preserve and enhance the natural and beneficial values served by wetlands (see 44 CFR 9.11).**

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Mitigation measures identified in the EA Document or as described below:

**Alternative 3:** Replacement shall be in accordance with local floodplain ordinances with applicable codes and standards applied to mitigate and minimize adverse effects. Critical components will be placed above Base Flood Elevation or protected from the effects of flooding.

**STEP 6 Reevaluate the proposed action to determine first, if it's still practicable in light of its exposure to flood hazards, the extent to which it will aggravate the hazards to others and its potential to disrupt floodplain and wetland values and second, if alternatives preliminarily rejected at step # 3 are practicable**

**in light of the information gained in steps # 4 and # 5. FEMA shall not act in a floodplain or wetland unless it's the only practicable location.**

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - Action proposed is located in the only practicable location as described below:

The proposed action is the chosen practicable alternative based upon a review of possible adverse effects on the floodplain and community/socioeconomic expectations.

**STEP 7 Prepare and provide the public with a finding and public explanation of any final decision that the floodplain or wetland is the only practicable alternative (see 44 CFR 9.12).**

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - Finding is or will be prepared as described below:

An initial Cumulative Public Notice was published.

**STEP 8 Review the implementation and post-implementation phases of the proposed action to ensure that the requirements of the order are fully implemented. Oversight responsibility shall be integrated into existing processes.**

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - Approval conditioned on review of implementation and post-implementation phases to ensure compliance with the order(s).

Review the implementation and post- implementation phase of the proposed action to ensure that the requirement stated in 9.11 are fully implemented.

- Applicable - Oversight responsibility established as follows:

Oversight responsibility shall be integrated into existing processes and project completion in accordance with all applicable floodplain ordinances and codes and standards shall be verified at project.