

Draft Environmental Assessment

St. Bernard Parish

Water Treatment Plant Clear Well Pump Station
and Raw Water Intake Pump Station

HMGP/1603-0414

St. Bernard Parish, Louisiana

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FEMA

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ACRONYMS AND ABBREVIATIONS

ABFE	Advisory Base Flood Elevation
ACHP	Advisory Council on Historic Preservation
BFE	Base Flood Elevation
BMP	Best Management Practices
CAA	Clean Air Act
CDBG	Community Development Block Grant
CFR	Code of Federal Regulations
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CUP	Coastal Use Permit
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
dB	Decibels
DFIRM	Digital Flood Insurance Rate Map
DNL	Day-Night Average Sound Level
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps
FONSI	Finding of No Significant Impact
FP&C	Louisiana Department of Facility Planning and Control
FPPA	Farm Protection Policy Act
GNO	Greater New Orleans
HMGP	Hazard Mitigation Grant Program
HSDRRS	Hurricane Storm Damage Risk Reduction System
HUD	Urban Development
LA	Louisiana
LADOTD	Louisiana Department of Transportation and Development
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
LDWF	Louisiana Department of Wildlife and Fisheries
LOCD	Louisiana Office of Community Development
LPDES	Louisiana Pollutant Discharge Elimination System
MBTA	Migratory Bird Treaty Act
MGD	Million Gallons per Day
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NOD-22	New Orleans District General Permit 22
NPDES	National Pollution Discharge Elimination System
NRCS	Natural Resources Conservation Service

NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
OSHA	Occupational Safety and Health Administration
R.S.	(Louisiana) Revised Statutes
RCRA	Resource Conservation and Recovery Act
SHPO	State Historic Preservation Office/Officer
SONRIS	Strategic Online Natural Resources Information System
THPO	Tribal Historic Preservation Office
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USGS	United States Geological Survey
USFWS	United States Fish and Wildlife Service

1.0 INTRODUCTION

1.1 PROJECT AUTHORITY

Hurricane Katrina made landfall on August 29, 2005 near the town of Buras, Louisiana with sustained winds of more than 125 mph. President George W. Bush declared a major disaster for the State of Louisiana (FEMA-1603-DR-LA) on August 29, 2005, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide federal assistance in designated areas of Louisiana. FEMA is administering this disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. Section 404 of the Stafford Act authorizes FEMA's Hazard Mitigation Grant Program (HMGP) to provide funds to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration.

This Environmental Assessment (EA) has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the President's Council on Environmental Quality regulations to implement NEPA, 40 Code of Federal Regulations (CFR) Parts 1500-1508, and FEMA's regulations implementing NEPA (44 CFR Part 10). FEMA is required to consider potential environmental impacts before funding or approving actions and projects.

The purpose of this EA is to analyze the potential environmental impacts of the proposed construction of the St. Bernard Parish Water Treatment Plant Clear Well Pump Station – Holding Tank; and the Raw Water Intake Pipe. FEMA will utilize the findings in this EA and the findings of the Community Development Block Grant (CDBG), Water Treatment Plant EA and Finding of No Significant Impact (FONSI) dated July 2010 (See Appendix A) to determine whether to prepare an Environmental Impact Statement (EIS) or a FONSI. CDBG is a grant provided by the U. S. Department of Housing and Urban Development (HUD). Funds are awarded to carry out a wide range of community development activities directed toward neighborhood revitalization, economic development and the provision of improved community facilities and services. FEMA will also use the agency consultation letters prepared for the Water Treatment Plant EA because the Proposed Action is similar in scope and is within the same footprint as the components addressed in the Water Treatment Plant EA.

1.2 PROJECT BACKGROUND

The existing treatment facilities of the St. Bernard Parish Water Treatment Plant were heavily impacted by the flooding from Hurricane Katrina in 2005. Prior to Hurricane Katrina, St. Bernard Parish had a water treatment facility which consisted of a 6 Million Gallons per Day (MGD) of potable water filtration system built in 1951 and a newer system built in 1974 which also had a capacity of 6 MGD. During Hurricane Katrina both water treatments systems were flooded and remained submerged for approximately one week. The flooding also damaged the operations building, including the associated ancillary equipment and all the piping systems. The 1951 6 MGD facility was destroyed and abandoned by the Parish Government. The 1974, 6 MGD facility will be rehabilitated and will remain as a backup system.

The construction of the 12 MGD Water Treatment Plant, located at 1111 East St. Bernard Highway, Chalmette, St. Barnard Parish, Louisiana (Latitude: 29.932083;

Longitude: -89.957032) was funded by CDBG. An EA was prepared for this project in July 2010, and a FONSI was signed by the St. Bernard Parish President, Craig P. Taffaro, Jr., in July 2010 (Appendix A).

This new Water Treatment Plant will provide the same capacity as Pre-Katrina levels and will raise the critical water components to the 500-year flood elevation of 12 feet. The new design will mitigate the potential damages from future storms and flooding events, as well as allow St. Bernard Parish to begin water treatment immediately after a major storm without having to repair major equipment. In addition, a Raw Water Pump Station will be constructed to replace an existing 18 MGD Raw Water Pump Station that was built more than 50 years ago.

There are two other key components that were not included in the EA prepared in July 2010 for the construction of the new Water Treatment Plant: (1) the Clear Well Pump Station - Holding Tank (located on the property of the Water Treatment Plant) (Latitude: 29.932292; Longitude: -89.956977) and; the (2) Raw Water Intake Pipe (consisting of an intake pipe) (Latitude: 29.925828, Longitude: -89.959601) located 0.5 miles from the Water Treatment Plant in the Mississippi River (See Appendix C, Figure 2). These two additional key components will be the subject of this EA.

2.0 PURPOSE AND NEED

Through HMGP, FEMA provides grants to states and local governments to implement long-term hazard mitigation measures. The purpose of HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

After the CDBG Water Treatment Plant EA was completed, it was discovered during the construction of the Waste Water Treatment Plant that several supporting ancillary structures associated with the Waste Water Treatment Plant continued to be problematic.

It was determined that the 50-year old Clear Well Pump Station – Holding Tank, that had been damaged by Hurricane Katrina, was malfunctioning and leaking. The existing tank is completely below ground making it a high risk to damage. During Hurricane Katrina, the existing tank was submerged under 4 feet of water for several days. It is anticipated that another flooding event would damage the Clear Well Pump Station – Holding Tank and contaminate St. Bernard Parish’s potable water system.

Continued usage of this older system increases the health and safety risk for potable drinking water availability during natural disasters or other unforeseen events that can cause water shortages throughout the Parish. Without replacing the Clear Well Pump Station – Holding Tank, the current project is not a complete solution for the Water Treatment Plant under construction.

The Raw Water Intake Pipe system was constructed in 1954 and has exceeded its useful life. The Raw Water Intake Pipe system consist of one (1) 42-inch pipe and one (1) 30-inch pipe that connected to the Raw Water Pump Station located in the Mississippi River. After Hurricane Katrina, the Raw Water Pump Station intake and discharge pipes in the Mississippi River were filled with debris and were leaking at unknown locations. During an attempted connection of the

existing Raw Water Intake Pipes to the new Raw Water pump station, it was discovered that both Raw Water Intake Pipes were damaged beyond repair. As a result, the piping from the two Raw Water Intake Pipes to the new Raw Water pump station were modified as a temporary measure.

The existing 42-inch Raw Water Intake Pipe is the only source of water to the new water treatment plant. Continued usage of the Raw Water Intake Pipes as a temporary measure increases the health and safety risk for potable drinking water during natural disasters or other unforeseen events that cause water shortages throughout the parish.

St. Bernard Parish needs to develop a solution that will minimize the contamination of potable water during storm events.

3.0 ALTERNATIVES

The NEPA process consists of an evaluation of the environmental effects of a federal undertaking, including its alternatives. Three alternatives have been proposed and reviewed including, 1) the No Action Alternative, 2) Repair Existing Clear Well Pump Station – Holding Tank and Raw Water Intake Pipe and 3) Design and Construct a new Clear Well Pump Station and Raw Water Intake Pipe – Proposed Action.

3.1 ALTERNATIVE 1 - NO ACTION

This alternative would be to leave the current Clear Well Pump Station and Raw Water Intake Pipe in their current condition. After a flood event, potential health risks associated with the water treatment plant's inability to maintain potable water production would continue to be a problem. This alternative would not meet the purpose and need.

3.2 ALTERNATIVE 2 - DESIGN AND CONSTRUCT A NEW CLEAR WELL PUMP STATION – HOLDING TANK AND RAW WATER INTAKE PIPE- PROPOSED ACTION

This alternative will design and construct a new Clear Well Pump Station – Holding Tank to replace the old outdated station at the ongoing construction site of the new 12 MGD Water Treatment Plant at 1111 E. St. Bernard Highway, Chalmette, Louisiana (Latitude: 29.932292, Longitude: -89.956977). The new station will be located at the south end of the new Chemical Building. The new station structure will be square, have internal dimensions of 40 feet by 40 feet, and will be above ground. The new station will provide for a complete new treatment process without relying on existing infrastructure that was constructed in the 1970's. All pumps, motors, and controls will be above ground, mitigating any future damage caused by floodwaters due to natural disasters or rain events. The new Clear Well Pump Station – Holding Tank will be designed with the same capacity as Pre-Katrina, 72,000 gallons of operational storage with two 9,500 GPM variable speed pumps. The pump station piping and valve control will allow treated water to be sent to the existing ground storage tanks, to the filters during cleaning, or a combination of the two. The station will transfer clean water from the new water treatment

plant's filters to the existing 3 million gallon and 10 million gallon ground storage tanks on the west side of the water plant property. The new station will also supply clean water to backwash the new filters when required.

St. Bernard Parish will also design and construct one new 48-inch Raw Water Intake Pipe from the new Raw Water Pump Station in the Mississippi River (Latitude: 29.925828, Longitude: -89.959601). Both the 30-inch and the 42-inch Raw Water Intake Pipes will be abandon in place. The new 48-inch Raw Water Intake Pipe will handle the same capacity as the existing 42-inch and 30-inch pipes currently in place. According to the design engineer, this reduction in size, along with the capacity of the new Raw Water Pump Station, will provide the same level of capacity (pre-storm) as the 42-inch and 30-inch pipes provided. The pipe will be installed through the existing river batture area (the land between the Mississippi River and the levees). The total length of pipe installed will be approximately 920 linear feet (See Appendix C, Figure 3).

3.3 ALTERNATIVE 3 – REPAIR EXISTING CLEAR WELL PUMP STATION - HOLDING TANK AND RAW WATER INTAKE PUMP STATION

This alternative would be to repair the existing Clear Well Pump Station - Holding tank and Raw Water Intake Pipe. This alternative would repair existing problems, but would leave the existing station at risk to natural disasters, not providing any mitigation to the existing or future problems. In addition, repair and replacement work to existing piping to the station and surrounding water plant would not be very efficient or cost effective. This alternative would not meet the purpose and need and will be eliminated from further consideration. It will not be discussed any further in this EA.

4.0 AFFECTED ENVIRONMENT AND POTENTIAL IMPACTS

This section describes the potential impacts of the Proposed Action Alternative and the No-Action Alternative. Where potential impacts exist, conditions or mitigation measures to offset these impacts are detailed. A summary table is provided in Section 4.7.

4.1 PHYSICAL RESOURCES

4.1.1 Geology, Soils, and Seismicity

The Proposed Action is located on the geologic formation identified as Alluvium that originated from the Mississippi River. The alluvium consists of sandy and gravelly channel deposits mantled by sandy to muddy natural levee deposits, with organic-rich muddy backswamp deposits in between; coastal marsh deposits are chiefly mud and organic matter (Louisiana Geological Survey, 2008).

According to documentation from the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Soil Survey, this area is composed of 6.5% Cancienne Silty Clay Loam, and 93.5% Cancienne and Schriever soils, frequently flooded. Only the Cancienne soil series is classified as prime farmland soils (USDA/NRCS, 2012). The NRCS has determined in a consultation letter dated February 19, 2010 that the proposed project construction areas are located within urban areas and therefore, is exempt from the rules and regulations of the Farm Protection Policy Act (FPPA) (See Appendix B).

The Louisiana gulf coastal region is located along the Gulf-margin Normal Faults, a fault belt with very low historical seismicity; the stress field and seismogenic potential of the underlying crust are unknown; and, therefore, the ability of the fault belt to generate significant seismic ruptures that could cause damaging ground motion is unclear. According to the United States Geological Survey (USGS) National Seismic Hazard Maps, the Louisiana Gulf Coast, including the proposed project area, is located in the lowest hazard probability area for seismicity (USGS, 2012).

4.1.2 Air Quality

The Clean Air Act (CAA) requires that states adopt ambient air quality standards. The standards have been established to protect the public from potentially harmful amounts of pollutants. Under the CAA, the U.S. Environmental Protection Agency (EPA) establishes primary and secondary air quality standards. Primary air quality standards protect the public health, including the health of “sensitive populations, such as people with asthma, children, and older adults.” Secondary air quality standards protect public welfare by promoting ecosystem health, and preventing decreased visibility and damage to crops and buildings. The EPA has set National Ambient Air Quality Standards (NAAQS) for the following six criteria pollutants: ozone, particulate matter, nitrogen dioxide, carbon monoxide, sulfur dioxide, and lead.

St. Bernard Parish is an attainment parish with the NAAQS for all criteria air pollutants (EPA, 2013).

Alternative 1 – No Action: No impacts to geology, soils, seismicity or air quality.

Alternative 2 – Design and construct a new Clear Well Pump Station – Holding tank and Raw Water Intake Pipe - Proposed Action: No impacts to geology or seismicity. There will be no significant impacts to soils or air quality.

Soils: Implement construction Best Management Practices (BMPs); install silt fences/straw bales to reduce sedimentation. Area soils would be covered and/or wetted during construction. If fill is stored on site as part of unit installation or removal, the contractor would be required to appropriately cover it. Construction contractor would be required to obtain a Louisiana Pollutant Discharge Elimination System (LPDES) permit, if applicable, and implement stormwater pollution prevention plan. The Louisiana Department of Environmental Quality (LDEQ) has stormwater general permits for construction areas equal to or greater than one (1) acre. It is recommended that the LDEQ Water Permit Division be contacted to determine whether the proposed improvements

require one of these permits. All precaution will be observed to control nonpoint source pollution from construction activities.

Air Quality: No significant air quality impacts are anticipated. However, during construction, there is a potential for short-term localized increase in vehicle emissions and dust particles. Vehicle operation times would be kept to a minimum. Area soils would be covered and/or wetted during construction to minimize dust.

4.2 WATER RESOURCES

4.2.1 Wetlands

The United States Army Corps Engineers (USACE) regulates the discharge of dredged or fill material into waters of the U.S., including wetlands, pursuant to Section 404 of the Clean Water Act. Wetlands are identified as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The USACE also regulates the building of structures in waters of the U.S. pursuant to the Rivers and Harbors Act.

Executive Order (EO) 11990, Protection of Wetlands, directs federal agencies to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the values of wetlands for federally funded projects. FEMA regulations for complying with EO 11990 are found at 44 CFR Part 9, Floodplain Management and Protection of Wetlands. The U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) map did not identify wetlands within the proposed project area that could be adversely affected by the project.

For the Construction of the Clear Well Pump Station, the USACE correspondence dated January 27, 2010, stated "...we have determined that this property is not in a wetland subject to Corps' Jurisdiction. A Department of the Army permit under Section 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site." (See Appendix B).

For repair of the Raw Water Intake Pipe, the Applicant must adhere to the conditions of the USACE New Orleans District General Permit 22 (NOD-22) dated July 16, 2009. 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 (See Appendix B).

4.2.2 Water Quality

The Clean Water Act (CWA), as amended, is the primary federal law in the United States regulating water pollution (P.L. 92-500, 33 U.S.C. §1251). The CWA regulates water quality of all discharges into "waters of the United States." Both wetlands and "dry washes" (channels that carry intermittent or seasonal flow) are considered "waters of the United States." Administered by EPA, the CWA protects and restores water quality using both water quality standards and technology-based effluent limitations. The EPA publishes surface water quality standards and toxic pollutant criteria in 40 CFR, Part 131.

The CWA also established the National Pollution Discharge Elimination System (NPDES) permitting program (Section 402) to regulate and enforce discharges into waters of the U.S. The NPDES permit program focuses on point-source outfalls associated with industrial wastewater and municipal sewage discharges. Congress has delegated to many states the responsibility to protect and manage water quality within their legal boundaries by establishing water quality standards and identifying waters not meeting these standards. States are also responsible for managing the NPDES system.

Under the Louisiana Water Control Law, Louisiana controls and regulates the discharged waste materials, pollutants, and other substances into Louisiana waters in order to properly protect and maintain the state's waters. The LDEQ is the state agency responsible for administering the NPDES Program known as Louisiana's Pollutant Discharge Elimination System (LPDES).

In a letter dated August 13, 2009, the LDEQ has indicated that a Louisiana Water Quality Certification will not be required because this project has been issued a NOD-22 (See Appendix B). However, to minimize indirect impacts (soil erosion, sedimentation, dust and other construction-related disturbances) to the areas surrounding the proposed action, the following best management practices should be included into the daily operations of construction activities: silt screens, barriers (e.g., hay bales), berms/dikes, and/or fences to be placed where and as needed. Fencing should be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations. All precautions should be observed to control nonpoint source pollution from construction activities.

For the construction of the Raw Water Intake Pipe, per the USACE letter dated July 16, 2009, the Applicant will be responsible for meeting the special conditions in the NOD-22. The Applicant will be responsible for requesting a Water Quality Certification per the LDEQ letter dated August 13, 2009 (See Appendix B).

The EPA stated in their response letter dated October 21 and October 28, 2009 that “the project does not lie within the boundaries of a designated sole source aquifer and is thus not eligible for review under the Sole Source Aquifer program.” (See Appendix B)

According to the Louisiana Department of Natural Resources (LDNR) Strategic Online Natural Resources Information System (SONRIS) database, there are no groundwater areas of concern in the project vicinity. According to the Louisiana Department of Transportation and Development (LADOTD) database, accessed via SONRIS, no recorded drinking water wells are located within the project vicinity; however, there may be unrecorded drinking wells near the project work areas (SONRIS, 2013).

4.2.3 Floodplains

Executive Order 11988 (Floodplain Management) requires federal agencies to avoid direct or indirect support or development within the 100-year floodplain whenever there is a practicable alternative. FEMA’s regulations for complying with EO 11988 are found at 44 CFR Part 9, Floodplain Management and Protection of Wetlands. FEMA uses Flood Insurance Rate Maps (FIRMs) to identify the regulatory 100-year floodplain for the National Flood Insurance Program.

In July 2005, FEMA initiated a series of flood insurance studies for many of the Louisiana coastal parishes as part of the Flood Map Modernization effort through FEMA's National Flood Insurance Program (NFIP). These studies were necessary because the flood hazard and risk information shown on many FIRMs was developed during the 1970s, and the physical terrain had changed significantly, such as major loss of wetland areas. After hurricanes Katrina and Rita, FEMA expanded the scope of work to include all of coastal Louisiana. The magnitude of the impacts of hurricanes Katrina and Rita reinforced the urgency to obtain additional flood recovery data for the coastal zones of Louisiana. More detailed analysis was possible because new data obtained after the hurricanes included information on levees and levee systems, new high-water marks, and new hurricane parameters (FEMA RiskMap6.com, 2013).

During an initial post-hurricane analysis, FEMA determined that the "100-Year" or 1-percent chance storm flood elevations on FIRMs for many Louisiana communities, referred to as Base Flood Elevations (BFEs), were too low. FEMA created recovery maps showing the extent and magnitude of storm surge damage after hurricanes Katrina and Rita, as well as information on other storms over the past 25 years (FEMA RiskMap6.com, 2013). The 2006 advisory flood data shown on the recovery maps for the Louisiana-declared disaster areas show high-water marks surveyed after the storm; flood limits developed from these surveyed points; and Advisory Base Flood Elevations, or Advisory Base Flood Elevation (ABFEs). The recovery maps and other advisory data were developed to assist parish officials, homeowners, business owners, and other affected citizens with their recovery and rebuilding efforts (FEMA RiskMap6.com, 2013).

Updated preliminary flood hazard maps from an intensive five-year mapping project guided by FEMA are now provided to all Louisiana coastal parishes. The new maps released in early 2008, known as Preliminary Digital Flood Insurance Rate Maps (DFIRMs), are based on the most technically advanced flood insurance studies ever performed for Louisiana, followed by multiple levels of review. The DFIRMs provide communities with a more scientific approach to economic development, hazard mitigation planning, emergency response and post-flood recovery (FEMA RiskMap6.com, 2013).

The USACE recently completed the Hurricane and Storm Damage Risk Reduction System (HSDRRS) for the Greater New Orleans (GNO) area (Miller, 2011). This 350-mile system of levees, floodwalls, surge barriers, and pump stations will reduce the flood risk associated with a storm event. In September of 2011, the USACE provided FEMA with assurances that the HSDRRS is capable of defending against a storm surge with a one percent (1%) annual chance event of occurring in any given year (Miller, 2011). The areas protected include portions of St. Bernard, St. Charles, Jefferson, Orleans, and Plaquemines parishes. FEMA has now begun revising the preliminary DFIRMs within the HSDRRS to incorporate the reduced flood risk associated with the system improvements.

The 2008 Preliminary DFIRMs do not consider the completion of the HSDRRS. In many areas, the flood risk has been significantly reduced due to heightened protection. To ensure that the best available data is used when reviewing and approving grant applications within the HSDRRS, FEMA will re-examine individual grant reconstruction projects using sound engineering data and judgment. The case-by-case review may indicate that the source of best available flood risk data for a reconstruction project is preliminary DFIRMs, ABFEs, or other relevant sound engineering data. 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 (Miller, 2011).

On November 9, 2012, revised Preliminary DFIRMS were made available to the Proposed Project area in St. Bernard Parish and are now considered best available data for purposes of required elevations for reconstruction projects.

In compliance with FEMA policy implementing EO 11988, Floodplain Management, the proposed project was reviewed for possible impacts associated with occupancy or modification to a floodplain. St. Bernard Parish enrolled in the NFIP on March 13, 1970.

Alternative 1 – No Action: No impacts to water quality, wetlands or floodplains.

Alternative 2 – Design and construct a new Clear Well Pump Station – Holding Tank and Raw Water Intake Pipe - Proposed Action:

Wetlands: The proposed action alternative would have no impact on wetlands or other waters of the U.S. USACE has determined this property (Clear Well Pump Station) is not in a wetland subject to Corps' Jurisdiction, therefore permits are not required under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. In addition, the site would not be considered as a wetland under EO 11990. Construction of the Raw Water Intake Pipe located in the Mississippi River would require a USACE general permit and a local levee board permit (See Appendix B).

Water Quality: No impacts to water quality. However, to minimize indirect impacts to the areas surrounding the proposed action, best management practices should be included into the daily operations of construction activities. Applicant must contact the LDEQ to determine if a LPDES permit is required. If required, the contractor must follow all requirements of the LPDES permit including all applicable BMPs.

The LDEQ may require stormwater general permits for construction areas equal to or greater than one (1) acre. It is recommended that the LDEQ Water Permit Division be contacted to determine whether the proposed improvements require one of these permits.

All precaution will be observed to control nonpoint source pollution from construction activities. The contractor should observe all precautions to protect the groundwater of the region. The LDNR Office of Conservation should be contacted if any unregistered drinking water wells are encountered during construction work.

All work associated with project that is conducted on potable water systems must comply with applicable sections of the federal Safe Drinking Water Act and state regulations under Louisiana Title 51 Part XII (otherwise known as the Louisiana Public Health-Sanitary code and related State Plumbing code).

Floodplains: As per the Preliminary DFIRM 22087C0487D dated November 9, 2012, the Clear Well Pump Station is located in the X Zone (500-year floodplain or 0.2% annual chance flood hazard). The Raw Water Intake Pipe is located in an AE Zone (100-year floodplain or 1% annual chance flood hazard).

Federal guidelines promulgated in 44 CFR 9.4 define activities and facilities that even a slight chance of flooding poses too great a threat as a Critical Action. The minimum floodplain of concern for critical actions is the 500-year floodplain, i.e., critical action floodplain. Critical actions include, but are not limited to, those which create or extend the useful life of structures or facilities. As a result, these actions are given special

consideration when formulating regulatory alternatives and floodplain management plans. These facilities are to be elevated to or above the 500-year flood level or the utility and sanitary facilities that are below the 500-year flood level have walls that are substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. To comply with EO 11988, Floodplain Management, FEMA is required to follow the procedure outlined in 44 CFR Part 9 to assure that alternatives to the action have been considered. This procedure is known as the EO 11988 - Floodplain Management Eight-Step Decision Making Process. In accordance with EO 11988, FEMA's Eight-Step Planning Process for Floodplains was completed to identify, minimize, and mitigate floodplain impacts (Appendix D).

Both the Clear Well Pump Station – Holding Tank and the Raw Water Intake Pipe would be considered as functionally dependent on their location to be able to intake raw water from the Mississippi River. The proposed construction will have no impacts on flood elevations, nor will it increase development in this fully built-out area.

In compliance with FEMA policy implementing EO 11988, Floodplain Management, the proposed project was reviewed for possible impacts associated with occupancy or modification to a floodplain. The Clear Well Pump Station would not likely affect the functions and values of the 100-year floodplain as the structure would not impede or redirect flood flows. The proposed reconstruction of the Clear Well Pump Station will be located within the new water treatment plant among existing structures.

New construction must be compliant with current codes and standards. St. Bernard Parish 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 state and FEMA for inclusion in the permanent project files.

4.3 COASTAL MANAGEMENT

The Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C. §1451) provides states with the authority to determine whether activities of governmental agencies are consistent with federally approved State Coastal Zone Management Plans. The intent of the CZMA is to prevent any additional loss of living marine resources, wildlife, and nutrient-enriched areas; alterations in ecological systems; and decreases in undeveloped areas available for public use.

St. Bernard Parish lies entirely within the Louisiana Coastal Zone and as a result, the proposed project will be subject to the rules and regulations of CZMA. In addition, the proposed activity is a use of state concern in accordance with Louisiana R.S. 49:214.5.

Alternative 1 – No Action: no impact.

Alternative 2 – Design and construct a new Clear Well Pump Station-Holding Tank and the Raw Water Intake Pipe - Proposed Action: Construction of the Clear Well Pump Station-Holding Tank and the Raw Water Intake Pipe would have no impact on coastal resources. The LDNR – Louisiana Office of Coastal Management indicated in correspondence letters dated November

18, 2009 and March 23, 2010 that the project is consistent with the Louisiana Coastal Resource Program. However, the project may require a Coastal Use Permit (CUP) (See Appendix B).

After the original CZMA agency correspondence, the LDNR – Louisiana Office of Coastal Management issued a statewide letter dated September 28, 2012 indicating that the Louisiana Office of Coastal Management determined that the granting of financial assistance is fully consistent with the Louisiana Coastal Resources Program. However, the Applicant is responsible for coordinating with and obtaining any required CUP or other authorizations from the LDNR Office of Coastal Management’s Permits and Mitigation Division prior to initiating work. The Applicant must comply with all conditions of the required permits. 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 (See Appendix B).

4.4 BIOLOGICAL RESOURCES

4.4.1 Threatened and Endangered Species and Critical Habitat

The Endangered Species Act (ESA) of 1973 prohibits the taking of listed, threatened, and endangered species unless specifically authorized by permit from the USFWS or the National Marine Fisheries Service. As defined by the USFWS, “An “endangered” species is one that is in danger of extinction throughout all or a significant portion of its range. A “threatened” species is one that is likely to become endangered in the foreseeable future. The lists the following federally threatened and endangered species for St. Bernard Parish:

Common Name	Scientific Name	Status
Piping Plover	<i>Charadrius melodus</i>	T
Gulf sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T
Pallid sturgeon	<i>Scaphirhynchus albus</i>	E
West Indian Manatee	<i>Trichechus manatus</i>	E
Louisiana black bear	<i>Ursus americanus luteolus</i>	T
Hawksbill sea turtle	<i>Eretmochelys imbricata</i>	E
Leatherback sea turtle	<i>Dermochelys coriacea</i>	E
Kemp's ridley sea turtle	<i>Lepidochelys kempii</i>	E
Green sea turtle	<i>Chelonia mydas</i>	T

Source: USFWS, 2012; T = Threatened, E = Endangered

It should be noted that inclusion in the USFWS federally threatened and endangered species list does not necessarily imply occurrence of a species in the study area, but simply acknowledges the potential of occurrence.

The Migratory Bird Treaty Act (MBTA) of 1918 makes it unlawful to pursue, hunt, take, capture, kill, or sell birds listed in the statute as “migratory birds”. It does not discriminate between live or dead birds, and also grants full protection to any bird parts including feathers, eggs, and nests. The MBTA is the primary law that affirms or implements the nation’s

commitment to four international conventions (with Canada, Japan, Mexico, and Russia) for the protection of a shared migratory bird resource.

EO 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds) strengthens the protection of migratory birds and their habitats by directing federal agencies to take certain actions that implement the MBTA.

Alternative 1 – No Action: no impact.

Alternative 2 – Design and construct a new Clear Well Pump Station-Holding Tank and the Raw Water Intake Pipe- Proposed Action: In correspondence dated November 16, 2009, USFWS stated the Service regarding this project as proposed “The project, as proposed, will have no effect on those resources” (See Appendix B).” In addition, correspondence dated July 13, 2010 and October 29, 2009 from the Louisiana Department of Wildlife and Fisheries (LDWF) stated “...no impacts to rare, threatened, or endanger species or critical habitats are anticipated for the proposed project.” (See Appendix B). The Applicant would be responsible for contacting FEMA if there is a change in the scope of work.

4.5 CULTURAL RESOURCES

The consideration of effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP) is mandated under Section 106 of the National Historic Preservation Act (NHPA) as implemented by 36 CFR Part 800. Requirements include the identification of significant or historic properties that may be affected by the proposed action or alternatives within the project’s area of potential effects. Historic properties are defined as archaeological sites, standing structures or other historic resources listed in or determined eligible for listing in the NRHP. Federal agencies must take into account their effects on historic properties and allow the Advisory Council on Historic Preservation (ACHP) opportunity to comment.

Alternative 1 – No Action: no impact.

Alternative 2 - Design and construct a new Clear Well Pump Station-Holding Tank and the Raw Water Intake Pipe- Proposed Action: In a correspondence letter dated November 22, 2009, the State Historic Preservation Office/Officer (SHPO) concurred that no known historic properties will be affected by this undertaking (See Appendix B). In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the Applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The Applicant will inform FEMA immediately and FEMA will consult with the SHPO or Tribal Historic Preservation Office (THPO) and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA.

4.6 SOCIOECONOMIC RESOURCES

4.6.1 Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, was signed on February 11, 1994. The EO directs federal agencies to make achieving environmental justice part of their missions by identifying and addressing, as appropriate, disproportionately high adverse human health, environmental, economic, and social effects of its programs, policies and activities on minority or low-income populations.

According to the U.S. Census Bureau State and Parish Quick Facts data for 2007-2011, the percentage of families in St. Bernard Parish below the poverty level is 14.6% and the State of Louisiana 18.4%. The median household income for St. Bernard Parish is \$40,450 and for Louisiana is \$44,086. The per capita income for St. Bernard Parish was \$20,003 for Louisiana was \$23,853. The 2011 demographic census data for St. Bernard Parish are as follows: Caucasian: 75%, African American: 19%, and Hispanic: 9%. The comparable demographic census data for the State of Louisiana are: Caucasian: 64%, African American: 32%, Hispanic: 4% (USCB, 2013).

The proposed action will minimize the interruption of potable water in St. Bernard Parish during natural disasters or other unforeseen events. All populations would benefit from the Proposed Action.

4.6.2 Noise

Noise is generally defined as unwanted sound. Sound is most commonly measured in decibels (dB) on the A-weighted scale, which is the scale most similar to the range of sounds that the human ear can hear. The Day-Night Average Sound Level (DNL) is an average measure of sound. The DNL descriptor is accepted by federal agencies as a standard for estimating sound impacts and establishing guidelines for compatible land uses. EPA guidelines, and those of many other federal agencies, state that outdoor sound levels in excess of 55 dB DNL are “normally unacceptable” for noise-sensitive land uses such as residences, schools, or hospitals.

The proposed project site is in the immediate vicinity of heavy industrial, commercial, and municipal facilities. Sensitive noise receptors such as residential homes are located adjacent to the project area, along Veronica Drive and Palmisano Boulevard.

Noise levels will comply with Parish Ordinance. St. Bernard Parish Code of Ordinance Sec. 11-133. - Construction, power equipment. (a) Except as otherwise provided in this chapter, no person shall engage in, cause or permit any person to be engaged in construction activities in any residential or commercial district between the hours of 9:00 p.m. of one day and 7:00 a.m. of the following day. Construction projects shall be subject to the maximum permissible noise level specified for industrial districts for the periods within which construction is to be completed pursuant to any applicable building permit. (b) Construction activities directly connected with the abatement of an emergency are excluded from the provisions of this section. (c) No person shall operate on any property within a residential or commercial district or on any public way within a residential or commercial district, any power equipment, such as, but not limited to, chain saws, pavement breakers, log chippers, riding tractors, powered hand tools, between the

hours of 10:00 p.m. of one day and 7:00 a.m. of the next day or within residential, commercial or industrial noise districts between the hours of 7:00 a.m. and 10:00 p.m. which emits a noise level in excess of the levels set in Section 11-132 (Municode.com, 2013).

4.6.3 Traffic and Transportation

Traffic volumes along the respective work area would increase temporarily during work activities. Construction-related activities, heavy equipment and materials that may be needed for site access and site preparation would not pose a significant impact to the transportation network or cause a significant increase in traffic for the area. Construction of the Proposed Action may require numerous truck trips to haul materials to the project site. However, this would be temporary because it would only occur during site construction.

4.6.4 Public Safety – Hazardous Materials

Executive Order 13045 (Protection of Children) requires Federal agencies to make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children. Safety and security issues considered in this EA include the health and safety of area residents, the public-at-large, and the protection of personnel involved in the activities related to the construction of the proposed project.

The Louisiana Office of Community Development (LOCD) research maps indicate that the project is not located within the buffer zone of any Toxic Chemical locations, including Leaking Underground Storage Tanks, Radioactive sites, Resource Conservation and Recovery Act (RCRA) facilities, national Priority sites, Underground Storage Tanks, or Hazardous Waste Generators. The EPA (EPA – EnviroFacts, 2013) and LDEQ hazardous materials database searches were queried for the proposed project work areas. No sites of concern were identified by the database search within the proposed project work areas. No environmental conditions of concern observed during field reconnaissance within the proposed project work areas. The LDNR SONRIS database was queried for the project work areas. According to the LDNR, there are no recorded oil/gas wells located in the proposed project areas (SONRIS, 2013).

Alternative 1 – No Action: No impact on Noise, Traffic and Transportation, or Public Safety – Hazardous Material. There would be no disproportional impacts to populations associated with Environmental Justice. Continued usage of the compromised water treatment system increases the health and safety risk for potable water availability during natural disasters or other unforeseen events that can cause water shortages throughout the Parish. All populations would be negatively impacted by this alternative.

Alternative 2 – Design and construct a new Clear Well Pump Station-Holding Tank and the Raw Water Intake Pipe- Proposed Action:

Environmental Justice: The proposed action will minimize the interruption of potable water in St. Bernard Parish during natural disasters or other unforeseen events. All populations would benefit from the Proposed Action.

Noise: No Impacts. Noise levels will comply with Parish Ordinance. St. Bernard Parish Code of Ordinance Sec. 11-133. - Construction, power equipment. (a) Except as otherwise provided in this chapter, no person shall engage in, cause or permit any person to be engaged in construction activities in any residential or commercial district between the hours of 9:00 p.m. of one day and 7:00 a.m. of the following day. Construction projects shall be subject to the maximum permissible noise level specified for industrial districts for the periods within which construction is to be completed pursuant to any applicable building permit. (b) Construction activities directly connected with the abatement of an emergency are excluded from the provisions of this section. (c) No person shall operate on any property within a residential or commercial district or on any public way within a residential or commercial district, any power equipment, such as, but not limited to, chain saws, pavement breakers, log chippers, riding tractors, powered hand tools, between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day or within residential, commercial or industrial noise districts between the hours of 7:00 a.m. and 10:00 p.m. which emits a noise level in excess of the levels set in Section 11-132 (Municode.com, 2013).

Traffic and Transportation: Traffic volumes along the respective work areas could increase temporarily during work activities. Appropriate signage and barriers should be in place prior to construction activities in order to alert pedestrians and motorists of project activities and traffic pattern changes. The contractor would implement traffic control measures, as necessary.

Public Safety – Hazardous Materials: No impacts to public safety and security are anticipated. The contractor would place fencing around the work area perimeters to protect nearby residents from vehicular traffic. To minimize worker and public health and safety risks from project construction and closure, all construction and closure work would be done using qualified personnel trained in the proper use of construction equipment, including all appropriate safety precautions. Additionally, all activities would be conducted in a safe manner in accordance with the standards specified in the Occupational Safety and Health Administration (OSHA) regulations. The contractor would post appropriate signage and fencing to minimize potential adverse public safety concerns.

4.7 SUMMARY TABLE

The following table summarizes the potential impacts of the Proposed Action Alternative and conditions or mitigation measures to offset those impacts. The mitigation measures listed in the Water Treatment Plant Environmental Assessment FONSI, dated July 2010 (See Appendix A) have not been included in the Summary Table. However, the conditions have been referenced in the St. Bernard Parish Water Treatment Plant Clear Well Pump Station and Raw Water Intake Pump Station Environmental Assessment FONSI.

Affected Environment/ Resource Area	Impacts	Agency Coordination/Permits (See Appendix B)	Mitigation/BMPs
Geology and Soils	<p>No Impacts to Geology.</p> <p>No Significant Impacts to Soil.</p> <p>Total area of disturbance is less than 1 acre.</p>	<p>NRCS correspondence letter dated February 19, 2010.</p> <p>Internet Resources: NRCS Web Soil Survey Louisiana Geological Survey</p>	<p>Implement of BMPs that include; install silt fences/straw bales to reduce sedimentation. Area soils would be covered and/or wetted during construction. If fill were stored on site as part of unit installation or removal, the contractor would be required to appropriately cover it. Construction contractor would be required to obtain LPDES permit, if applicable, and implement stormwater pollution prevention plan.</p> <p>The LDEQ may require stormwater general permits for construction areas equal to or greater than one (1) acre. It is recommended that the LDEQ Water Permit Division be contacted to determine whether the proposed improvements require one of these permits.</p> <p>All precaution will be observed to control nonpoint source pollution from construction activities.</p>
Air Quality	<p>During construction, there is a potential for short-term localized increase in vehicle emissions and dust particles.</p> <p>St. Bernard Parish is currently in attainment for all criteria pollutants per the Clean Air Act.</p>	<p>Internet Resources: EPA Air Quality</p>	<p>Vehicle operation times would be kept to a minimum. Area soils would be covered and/or wetted during construction to minimize dust.</p>
Wetlands	<p>No Impacts to Wetlands.</p> <p>USACE indicated that a Section 404 permit would not be required for the Clear Well Pump Station. The Raw Water Intake will require a USACE general permit, water quality certification and a Coastal Management Division Permit.</p>	<p>USACE correspondence letter dated July 16, 2009 and January 27, 2010.</p> <p>Internet Resource: USFWS NWI Mapper.</p>	<p>Applicant must comply with all applicable permit conditions.</p>

Affected Environment/ Resource Area	Impacts	Agency Coordination/Permits (See Appendix B)	Mitigation/BMPs
Water Quality	<p>There is potential for short-term localized increase in sedimentation during construction.</p> <p>St. Bernard Parish does not overlie a Sole Source Aquifer</p> <p>According to the SONRIS database, there are no groundwater areas of concern in the project vicinity. According to the LADOTD database, accessed via SONRIS, no recorded drinking water wells are located within the project vicinity; however, there may be unrecorded drinking wells near the project work areas.</p>	<p>LDEQ email dated October 29, 2009 and correspondence letter dated August 13, 2009</p> <p>EPA correspondence letter dated October 21, 2009.</p> <p>Internet Resources: LDNR SONRIS Database</p>	<p>Applicant must contact the LDEQ to determine if a LPDES permit is required. If required, the contractor must follow all requirements of the LPDES permit including all applicable BMPs.</p> <p>The LDEQ may require stormwater general permits for construction areas equal to or greater than one (1) acre. It is recommended that the LDEQ Water Permit Division be contacted to determine whether the proposed improvements require one of these permits.</p> <p>All precaution will be observed to control nonpoint source pollution from construction activities.</p> <p>The contractor should observe all precautions to protect the groundwater of the region.</p> <p>The LDNR Office of Conservation should be contacted if any unregistered drinking water wells are encountered during construction work.</p> <p>All work associated with project that is conducted on potable water systems must comply with applicable sections of the federal Safe Drinking Water Act and state regulations under Louisiana Title 51 Part XII (otherwise known as the Louisiana Public Health-Sanitary code and related State Plumbing code).</p>
Floodplains	<p>The proposed project site for the Clear Well Pump Station is located in a 500-year flood plain (0.2 annual flood hazard area).</p> <p>The proposed project site for the Raw Water Intake Pipe is located within an AE Zone (or 1.0 percent chance of flood in any given year) but could be considered as functionally dependent.</p>	<p>Preliminary DFIRM Map # 22087C0487D November 9, 2012</p>	<p>New construction must be compliant with current codes and standards. St. Bernard Parish 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 state and FEMA for inclusion in the permanent project files.</p>

Affected Environment/ Resource Area	Impacts	Agency Coordination/Permits (See Appendix B)	Mitigation/BMPs
Coastal Resources	St. Bernard Parish lies entirely within the Louisiana Coastal Zone and the proposed project will be subject to the rules and regulations of CZMA. In addition, the proposed activity is a use of state concern in accordance with Louisiana R.S. 49:214.5. The construction of the Raw Water Intake Pipe may require a CUP.	LDNR correspondence dated November 18, 2009, March 23, 2010 and September 28, 2012.	Applicant must comply with all applicable permit conditions. 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.
Threatened and Endangered Species and Migratory Birds	No impact to federally listed threatened or endangered species is anticipated. No impacts to migratory birds are anticipated. No impacts to state listed rare, threatened, or endangered species or critical habitats are anticipated for the proposed project. No state or federal parks, wildlife refuges, scenic streams, or wildlife management areas are known at the specific site.	USFWS determination of no effect on threatened and endangered species, dated November 16, 2009 LDWF correspondence letters dated October 29, 2009 and July 13, 2009.	The Applicant would be responsible for contacting FEMA if there is a change in the scope of work.

Affected Environment/ Resource Area	Impacts	Agency Coordination/Permits (See Appendix B)	Mitigation/BMPs
Cultural Resources	According to the SHPO, there are no known historic properties that will be affected by this undertaking.	SHPO concurrence letter dated November 22, 2009 Internet Resource: Louisiana Office of Cultural Development	In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the Applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The Applicant will inform FEMA immediately and FEMA will consult with SHPO or THPO and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA.
Environmental Justice	The proposed action will minimize the interruption of potable water in St. Bernard Parish during natural disasters or other unforeseen events. All populations would benefit from the Proposed Action.	None	None

Affected Environment/ Resource Area	Impacts	Agency Coordination/Permits (See Appendix B)	Mitigation/BMPs
Noise	Noise levels will comply with Parish Ordinance.	Internet Resource: Municode.com	St. Bernard Parish Code of Ordinance Sec. 11-133. - Construction, power equipment. (a) Except as otherwise provided in this chapter, no person shall engage in, cause or permit any person to be engaged in construction activities in any residential or commercial district between the hours of 9:00 p.m. of one day and 7:00 a.m. of the following day. Construction projects shall be subject to the maximum permissible noise level specified for industrial districts for the periods within which construction is to be completed pursuant to any applicable building permit. (b)Construction activities directly connected with the abatement of an emergency are excluded from the provisions of this section.(c)No person shall operate on any property within a residential or commercial district or on any public way within a residential or commercial district, any power equipment, such as, but not limited to, chain saws, pavement breakers, log chippers, riding tractors, powered hand tools, between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day or within residential, commercial or industrial noise districts between the hours of 7:00 a.m. and 10:00 p.m. which emits a noise level in excess of the levels set in Section 11-132.
Traffic and Transportation	No Significant Impacts	Traffic volumes along the respective work areas could increase temporarily during work activities.	Appropriate signage and barriers should be in place prior to construction activities in order to alert pedestrians and motorists of project activities and traffic pattern changes. The contractor would implement traffic control measures, as necessary.

Affected Environment/ Resource Area	Impacts	Agency Coordination/Permits (See Appendix B)	Mitigation/BMPs
Public Safety – Hazardous Materials	No impacts to public safety and security are anticipated.	None	<p>The contractor would place fencing around the work area perimeters to protect nearby residents from vehicular traffic. To minimize worker and public health and safety risks from project construction and closure, all construction and closure work would be done using qualified personnel trained in the proper use of construction equipment, including all appropriate safety precautions. Additionally, all activities would be conducted in a safe manner in accordance with the standards specified in OSHA regulations.</p> <p>The contractor would post appropriate signage and fencing to minimize potential adverse public safety concerns.</p>

5.0 CUMULATIVE IMPACTS

According to the Council on Environmental Quality (CEQ) regulations, cumulative impacts represent the “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).

The entire Louisiana Gulf Coast is undergoing recovery efforts after the 2005 hurricane season that include demolition, reconstruction, and new construction, within the private sector as well as federal and state government. The USACE is undertaking one of the largest projects in their history. Rebuilding the Greater New Orleans Hurricane and Storm Damage Risk Reduction System will improve approximately 350 miles of levees, concrete floodwalls, and other structures to meet the 100-year level of risk reduction. St. Bernard Parish Government, St. Bernard Parish School Board, St. Bernard Parish Sheriff’s Office, and the Louisiana Department of Facility Planning and Control (FP&C) have numerous recovery and other construction projects planned or ongoing throughout the parish. Although these projects can be expected to have cumulative effects to the built and natural environment of the parish, the subject proposed project is not anticipated to contribute to any adverse effects.

6.0 MITIGATION

Based upon the studies and consultations undertaken in this EA, several conditions must be met and mitigation measures must be taken by St. Bernard Parish Government (Applicant) prior to and during project implementation.

1. The Applicant is required to adhere to all the conditions enumerated in the Water Treatment Plant Environmental Assessment FONSI, dated July 2010 (See Appendix A).
2. The Applicant is required to obtain and comply with all local, state and federal permits, approvals and requirements prior to initiating work on this project. 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.
3. Implement of BMPs that include; install silt fences/straw bales to reduce sedimentation. Area soils would be covered and/or wetted during construction. If fill were stored on site as part of unit installation or removal, the contractor would be required to appropriately cover it. Construction contractor would be required to obtain LPDES permit, if applicable, and implement stormwater pollution prevention plan.
4. The LDEQ may require stormwater general permits for construction areas equal to or greater than one (1) acre. It is recommended that the LDEQ Water Permit

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- Division be contacted to determine whether the proposed improvements require one of these permits.
5. All precaution will be observed to control nonpoint source pollution from construction activities.
 6. Vehicle operation times would be kept to a minimum. Area soils would be covered and/or wetted during construction to minimize dust.
 7. Applicant is responsible for meeting the special conditions of the USACE NOD-22.
 8. Applicant must contact the LDEQ to determine if a LPDES permit is required. If required, the contractor must follow all requirements of the LPDES permit including all applicable BMPs.
 9. The LDEQ may require stormwater general permits for construction areas equal to or greater than one (1) acre. It is recommended that the LDEQ Water Permit Division be contacted to determine whether the proposed improvements require one of these permits.
 10. All precaution will be observed to control nonpoint source pollution from construction activities.
 11. The contractor should observe all precautions to protect the groundwater of the region.
 12. The LDNR Office of Conservation should be contacted if any unregistered drinking water wells are encountered during construction work.
 13. All work associated with project that is conducted on potable water systems must comply with applicable sections of the federal Safe Drinking Water Act and state regulations under Louisiana Title 51 Part XII (otherwise known as the Louisiana Public Health-Sanitary code and related State Plumbing code). In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the Applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The Applicant will inform FEMA immediately and FEMA will consult with the SHPO or THPO and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA.
 14. New construction must be compliant with current codes and standards. St. Bernard Parish 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 state and FEMA for inclusion in the permanent project files.
 15. Applicant must comply with all applicable permit conditions that may be required by the CUP. All coordination pertaining to these activities and Applicant

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- compliance with any conditions should be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.
16. The Applicant would be responsible for contacting FEMA if there is a change in the scope of work.
 17. In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the Applicant shall stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured and access to the sensitive area restricted. The Applicant will inform FEMA immediately and FEMA will consult with SHPO or THPO and Tribes and work in sensitive areas cannot resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA.
 18. St. Bernard Parish Code of Ordinance Sec. 11-133. - Construction, power equipment. (a) Except as otherwise provided in this chapter, no person shall engage in, cause or permit any person to be engaged in construction activities in any residential or commercial district between the hours of 9:00 p.m. of one day and 7:00 a.m. of the following day. Construction projects shall be subject to the maximum permissible noise level specified for industrial districts for the periods within which construction is to be completed pursuant to any applicable building permit. (b) Construction activities directly connected with the abatement of an emergency are excluded from the provisions of this section. (c) No person shall operate on any property within a residential or commercial district or on any public way within a residential or commercial district, any power equipment, such as, but not limited to, chain saws, pavement breakers, log chippers, riding tractors, powered hand tools, between the hours of 10:00 p.m. of one day and 7:00 a.m. of the next day or within residential, commercial or industrial noise districts between the hours of 7:00 a.m. and 10:00 p.m. which emits a noise level in excess of the levels set in Section 11-132.
 19. Appropriate signage and barriers should be in place prior to construction activities in order to alert pedestrians and motorists of project activities and traffic pattern changes.
 20. The contractor would implement traffic control measures, as necessary
 21. Changes, additions, and/or supplements to the approved scope of work which alter the existing use and function of the structure, including additional work not funded by FEMA but performed substantially at the same time, will require re-submission of the application prior to construction to FEMA for re-evaluation under the National Environmental Policy Act.

7.0 AGENCY COORDINATION

As part of the development of the EA, Federal and State resource protection agencies were contacted. Responses received to date are included in Appendix C.

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- Lake Borgne Basin Levee District
 - Louisiana Department of Environmental Quality, Community and Industry Relations, Business and Community Outreach Division
 - Louisiana Department of Environmental Quality, Environmental Services, Water Permits Division
 - Louisiana Department of Natural Resources, Office of Coastal Management
 - Louisiana Department Of Transportation and Development, District Design, Water Resources and Development Section
 - Louisiana Department of Wildlife and Fisheries, Office of Wildlife, Natural Heritage Program
 - Louisiana State Historic Preservation Office
 - Natural Resources Conservation Service, New Orleans Field Office
 - United States Army Corps Of Engineers, New Orleans District
 - United States Environmental Protection Agency, Sole Source Aquifer Program, Ground Water/UIC Section
 - United States Fish and Wildlife, Louisiana Field Office

8.0 PUBLIC INVOLVEMENT

FEMA is the lead Federal agency for conducting the NEPA compliance process for the proposed St. Bernard Parish Water Treatment Plant Clear Well Pump Station and Raw Water Intake Pipe Station Project. It is the goal of the lead agency to expedite the preparation and review of NEPA documents and to be responsive to the needs of the community and the purpose and need of the proposed action while meeting the intent of NEPA and complying with all NEPA provisions.

The Initial Public Notice concerning FEMA actions located in or that may affect wetland areas or the 100-year floodplain, and critical actions within the 500-year floodplain was published in the St. Bernard Voice newspaper in St. Bernard Parish on September 29, 2005. St. Bernard Parish will provide additional notification to the public of the availability of the draft EA through publication of a Final Floodplain Notice and Notice of Availability for the Draft Environmental Assessment for the proposed project in the St. Bernard Voice newspaper informing the public of FEMA's decision to proceed with the project. The Draft EA was also made available at St. Bernard Parish library located at 2600 Palmisano Blvd, Chalmette, Louisiana, 70043. In addition, the draft EA is available for public viewing on FEMA's website at <https://www.fema.gov/environmental-planning-and-historic-preservation-program/environmental-documents-public-notices-2>. FEMA will conduct a 30-day public comment period commencing on the initial date of publication of the public notice.

9.0 REFERENCES

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- U.S. Fish and Wildlife (USFWS). 2012. Species Reports, Environmental Conservation Online System. Available online at http://ecos.fws.gov/tess_public/. Accessed March 2013.

10.0 LIST OF PREPARERS

Michael D. Hunnicutt, Hazard Mitigation Technical Advisor, St. Bernard Parish Government

Andrew Becker, Community Development Block Grant, St. Bernard Parish Government

Michael Bayham, Grants Specialist, St. Bernard Parish Government

Donald Bourgeois, Recovery Director, St Bernard Parish Government

Douglas Landry, Project Manager, CDM Corporation

Rob Bredberg, Engineer, BKI and Associates

Kendall Magee, Project Manager, Frye/Magee, LLC

Jerry Graves, Chief Administrative Officer, St. Bernard Parish Government
Candace Watkins, Director Community Development, St. Bernard Parish Government.
John Rahaim, Homeland Security Director, St. Bernard Parish Government
Hillary Nunez, Public Works Director, St. Bernard Parish Government.

Government Contributors

Kevin Jaynes, Region 6 Regional Environmental Officer
Linda Depa, Region 6 EHP Team Lead
Alan Hermely, Region 6 EHP Specialist

11.0 APPENDIX

**Appendix A – Finding of No Significant Impact (FONSI) prepared for
the Water Treatment Plant Environmental Assessment dated July 2010**

29.932292
- 89.956877

Environmental Review Record

Environmental Assessment
(24 CFR Part 58)

of:

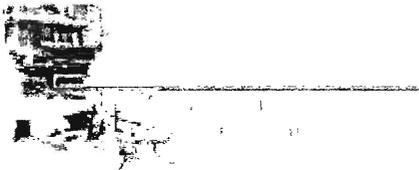
St. Bernard Parish Government
Water Treatment Plant
Chalmette, Louisiana

Prepared for:

St. Bernard Parish Government
Chalmette, Louisiana

July 2010

Prepared by:
ENVIRON International Corporation
Baton Rouge, Louisiana



ENVIRON

**ENVIRONMENTAL REVIEW RECORD
ST. BERNARD PARISH GOVERNMENT
RAW WATER PUMPING STATION**

Applicant: St. Bernard Parish Government

Designated Signee: Craig P. Taffaro, Jr., President, St. Bernard Parish

Project Name: Water Treatment Plant

ENVIRON Work Order Number: INF-LTCR-SBP-0003

PROJECT DESCRIPTION

As part of the Louisiana Disaster Recovery Program, the St. Bernard Parish Government (SBPG) proposes to a 12 million gallon per day (mgd) water treatment plant located 1111 East St. Bernard Highway, Chalmette, Louisiana.

The proposed project is a part of the continued implementation of the SBPG Long Term Recovery Program for St. Bernard Parish. Construction activities included in the construction of the water treatment plant are as follows:

Except for the ground storage tanks, the existing facilities will be replaced in the proposed construction of a water treatment plant designed to treat 12 mgd. A new chemical feed facility will house bulk chemical storage and feed systems. The chemical feed facility will house chlorine, ammonia, polymer and alum. Other chemicals will be added if appropriate for the final process selected. Raw water will be discharged into a flocculation and sedimentation unit. Settled solids will be collected for return to the Mississippi River through the solids retention tanks. Settled water will flow to either a filter building or a membrane building. Either technology will produce finished water ready for distribution after disinfection. Finished water will be pumped into the ground storage tanks. Water from the storage tanks will be pumped into the distribution system using the high service pumps. Settled solids and filter backwash, if the gravity filter option is selected, will be pumped to the solids retention tanks. Existing treatment tanks from the 1950's plant will be modified for use as the solids retention tanks. Solids from the solids retention tanks will be discharged back into the Mississippi River. The proposed construction work will be phased to allow continual pumping and treatment while the proposed improvements are under construction.

The detailed project description and cost estimate with additional details is located in the *Project Description* section of this report.

Of note, CDBG-funded improvements are also currently proposed at the adjacent St. Bernard Parish Raw Water Pump Station and have been evaluated for environmental impacts in a separate environmental assessment. Since the two projects are stand-alone projects in the sense that they are not caused by or dependent upon the other, the requirements for aggregation do not apply. Further, given the distinct nature of the two projects, the cumulative effects of the projects are deemed to be fully captured in the course of each environmental assessment.

EXISTING ENVIRONMENTAL CONDITIONS AND TRENDS

The SBPG has determined that the proposed project site is not within the 100 year floodplain using the FEMA FIRM Panel Maps.

The Louisiana Department of Culture, Recreation and Tourism, State Historical Preservation Officer (SHPO) was contacted via letter to determine whether there are any recreational, cultural or historical resources that would be affected by the project. In a response dated November 22, 2009, SHPO stated that “no known historic properties will be affected by this undertaking.”

The United States Environmental Protection Agency (EPA) stated in their response letter dated October 28, 2009 that “the project does not lie within the boundaries of a designated sole source aquifer and is thus not eligible for review under the Sole Source Aquifer program.”

The United States Fish and Wildlife Service stated in their response dated November 16, 2009 that the project has been reviewed for effects to Federal trust resources protected by the Endangered Species Act of 1973. Furthermore, “the project, as proposed, will have no effect on those resources.”

The project site is not in National Inventory Wetlands as per the LOCD Research Maps. The site visit revealed that the project site and surrounding area have been previously committed to urban development. Review of the project description indicates that there will be no dredge or fill material distributed in any waters of United States. Based on a response from the U.S. Army Corps of Engineers dated January 27, 2010, the project site location is not in a wetland subject to Corps’ jurisdiction. A Department of the Army permit under Section 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site. The Corps of Engineers also stated that St. Bernard Parish is required to obtain a permit or approval from the residing agency, either a levee board or Parish Council, for any work within 1,500 feet of a federal flood control structure, such as a levee. The SBPG “must apply by letter to the appropriate agency including full-size construction plans, cross sections, and details of the proposed work.” Also, the SBPG must “forward a copy of your letter and plans to Ms. Amy Powell, Operations Manager for Completed Works of the Corps, and to the appropriate regional office of the Louisiana Department of Transportation and Development (LA DOTD) or the Office of Coastal Protection and Restoration (OCPR) for their review and comments concerning the proposed work.” The requirements set

forth by the Corps of Engineers must be adhered to before the proposed construction begins.

A letter was sent to Louisiana Department of Natural Resources asking their response on consistency with the Coastal Zone Management Act, as required by Section 307 of the Coastal Management Act of 1972, as amended. Their determination, dated November 18, 2009, stated that the project is consistent with the Louisiana Coastal Resource Program.

The Louisiana Department of Environmental Quality stated in their letter dated October 29, 2009 that “there were no objections” to the proposed project. Also, St. Bernard Parish is currently classified as an attainment parish with the National Ambient Air Quality Standards for all criteria air pollutants.

The LOCD Research Maps indicate that the entire site and surrounding areas are not prime farmland. As indicated by the United States Department of Agriculture (USDA) Natural Resources Conservation Service’s (NRCS) response dated February 19, 2010, “this area is considered an urban area and is previously developed as commercial land, thus there will be no impact to prime farmland and it appears the project will not impact and NRCS work in the immediate area. Therefore, this project is exempt from the regulations of the Farmland Protection and Policy Act.”

The LOCD Research Maps indicates that project is located outside the Fisher’s Field Airport Clear Zones and Accident Potential Zone. Additionally, the project is located within the 5 mile noise buffer zone of the Fisher’s Field Airport. The Fisher’s Field airport does not receive jet engine aircraft and, based on published noise contours for various aircraft types and runway orientation, does not produce noise levels of 65 decibel in magnitude at the site location. Also, the project lies within the 3,000 foot buffer zone for railroads, but does not lie in the immediate vicinity to any railroad. Furthermore, after reviewing the project description of the proposed improvements, there are no residential or commercial improvements that will require noise mitigation measures. All of the maps listed above are located in the *Maps* section of this report. There will be no increase in noise due to this project beyond what existed prior to the disaster.

The Water Treatment Plant is currently, and will remain, a Risk Management Plan Facility. Please review the Grant Conditions at the end of this summary for the obligations of St. Bernard Parish. Also, the LOCD Research Maps and site reconnaissance indicate that the project is located within the 1-mile buffer zone of a 2 risk management plan locations; however, the project is located outside any toxic release inventory sites, RCRA treatment, storage & disposal sites, and radioactive sites. These findings do not indicate existing toxic or flammable conditions that affect the intended non-residential use of the building.

The SBPG requested comments via the Local Response Questionnaire (LRQ) on the potential impacts from the proposed project on essential community services. A response of “No Impact” from the proposed project scope of work was received for all of the LRQs. The following individuals gave responses of “No Impact” on all LRQs: Doris

Voitier, St. Bernard Parish School Board Superintendent; Thomas Stone, St. Bernard Parish Fire Chief; Hillary J. Nunez, Jr., St. Bernard Parish Assistant Public Works Director; Mary D. Chimento, Assistant Director; Craig P. Taffaro, Jr., St. Bernard Parish Government President.

CONDITIONS OF FINDING OF NO SIGNIFICANT IMPACT

The conditions of Finding of No Significant Impact for the construction of the St. Bernard Parish Water Treatment Plant are as follow:

The structure must be designed in accordance with FEMA Floodplain Management requirements and applicable construction codes (e.g., ASCE 24). Flood Insurance must be obtained and maintained for the life of the structure. Proof of flood insurance for the structure must be provided to the Louisiana Office of Community Development (OCD).

Construction activity will be subject to the control of airborne particulates to avoid visibility impairments along adjacent highways in accordance with LAC 33:III.1303.B through 1305.

The construction activities may pose physical hazards to the public in close proximity to the construction site. Physical barriers, markings or other means must be placed around the perimeter of the construction site during working hours to prevent egress onto the construction site where such hazards may exist.

Above ground equipment fuel or chemical tanks used during construction or placed onsite during operations that exceeds 660 gallons in a single container or exceeds 1,320 gallons in aggregate containers must comply with 33 LAC IX.Chapter 9. Such requirements include tank construction and filling, placement of tanks in secondary containment with sufficient freeboard to avoid spills, and development of a Spill Prevention, Control and Countermeasures (SPCC) plan.

Chemicals that are stored onsite must be reviewed for applicability of Community Right-to-Know regulations promulgated under Title III of the Superfund Amendments and Reauthorization Act (SARA). If applicable, the applicant must file chemical inventory reports and submit annual Tier II reports to local response agencies. Further, applicant must review chemical usage and storage plans and implement controls as necessary to avoid potential for hazards (e.g., due to incompatibility, ignition or exposure to workers).

All work associated with this project that is conducted on potable water systems must comply with applicable sections of the federal Safe Drinking Water Act and state regulations under Louisiana Title 51 Part XII (otherwise known as the Louisiana Public Health - Sanitary Code and related State Plumbing Code).

In the event the construction area exceeds 1-acre storm water discharges resulting from construction activities must be permitted in accordance with LAC 33:IX.2511 including the development of a Storm Water Pollution Prevention Plan (SWPPP). The terms of any

such permit under LDEQ or EPA jurisdiction will apply to construction activities conducted as part of this planned action.

All debris and other solid waste encountered or generated during construction must be managed and disposed of in accordance with Louisiana Solid Waste Rules and Regulations under LAC 33:VII.

The applicant is required to obtain a permit or approval from the Lake Borgne Levee District for any work within 1,500 feet of a federal flood control structure (Mississippi River Levee). The applicant must apply by letter to the Levee District including full-size construction plans, cross sections, and details of the proposed work. Also, the applicant must forward a copy of your letter and plans to Ms. Amy Powell, Operations Manager for Completed Works of the Corps, and to the appropriate regional office of the Louisiana Department of Transportation and Development (LA DOTD) or the Office of Coastal Protection and Restoration (OCPR) for their review and comments concerning the proposed work.

Grantee acknowledges that the environmental review conducted for the property is not intended to constitute "All Appropriate Inquiry" under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA). Grantee acknowledges that the State of Louisiana and its contractors are released from any and all liability that may be associated with recognized environmental conditions that may exist in connection with the property.

Appendix B – Agency Correspondence



State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

September 28, 2012

To whom it may concern:

The Louisiana Department of Natural Resources, Office of Coastal Management (LDNR OCM) administers the state's federally-approved Coastal Zone Management (CZM) program.

A number of federal and state agencies are involved in providing financial assistance to state and local governments, non-governmental organizations, businesses, and individuals in Louisiana. As part of their award process, many of these agencies require the applicant to coordinate with the Louisiana CZM program. This coordination is generally intended to address one of two questions: concerns about awarding the financial assistance, or concerns about implementing the proposed project.

As a result of an internal review of program functions, OCM is streamlining its financial assistance review procedure to ensure response to all requests in a timely and appropriate manner. The OCM is confident that this procedure change will greatly improve office productivity, and provide for better accountability to the public we serve. Consequently, as of October 1, 2012, the coordination with OCM concerning applications for federal financial assistance should follow the procedures below, depending on the nature of the inquiry:

Consistency review for Federal Assistance

Federal regulations at 15 CFR §930.90 *et seq.* require state and local government bodies applying for federal financial assistance (grants, loans, guarantees, insurance, contractual arrangements, or other form of financial aid) to submit a request for Consistency review of that assistance to OCM. Since the inception of the Louisiana Coastal Resources Program in 1980, OCM has never found that financial assistance for a proposed project would be inconsistent with the state Coastal Zone Management program. The Office of Coastal Management therefore is issuing this letter of general consistency concurrence, which shall serve as formal notification that, as of October 1, 2012, the granting of any financial assistance as defined at 15 CFR §930.91, is fully consistent with the Louisiana Coastal Resources Program. Federal agencies should not require applicants for financial assistance to seek OCM's approval for that assistance.

Request for Determination for project implementation

If the applicant is seeking comments on the need to obtain a Coastal Use Permit or other authorization from OCM, for projects in or near to the Louisiana Coastal Zone, a Request for Determination or Solicitation of Views should be submitted to OCM's Permits and Mitigation

Division. Instructions and downloadable and online applications are located online at <http://dnr.louisiana.gov/crm/coastmgt/coastmgt.asp>. In Step 3 of the application, the box for Request for Determination or Solicitation of Views should be checked. Questions regarding this process may be directed to the OCM Permits Section staff at (225) 342-7591 or 1-800-267-4019, or by mail at P.O. Box 44487, Baton Rouge, LA 70804.

Outside of the Coastal Zone

Projects which are clearly located outside of the Coastal Zone and are not likely to have an impact on coastal waters generally will not require coordination with the OCM. However, projects near the Coastal Zone boundary where there may be some doubt, or those which may involve discharges into waters that flow into the Coastal Zone, should be submitted to OCM for review. A map of the Coastal Zone may be found at <http://dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=89&pnid=0&nid=39>.

Finally, OCM may find it necessary to change or rescind the provisions of this letter. Should this become necessary, OCM will publish a public notice in the Official State Journal (The Baton Rouge Advocate) and on the DNR web page, and attempt to contact all affected federal agencies directly.

Questions concerning these procedures should be addressed to Mr. Jeff Harris of the Consistency Section, at (225) 342-7949 or via e-mail to Jeff.Harris@LA.gov.

Sincerely,



Keith Lovell
Acting Administrator
Interagency Affairs/Field Services Division

cc: Karl Morgan, P/M Division
Consistency file C20120326

BOBBY JINDAL
GOVERNOR



SCOTT A. ANGELLE
SECRETARY

State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

March 23, 2010

Frey Magee, LLC
Thomas Magee
117 Tioga Road
Ball, LA 71405

RE: C20100071, Coastal Zone Consistency
St. Bernard Parish
LDA - Federal Assistance
Installation of a new raw water intake pumping station on East St. Bernard Highway
St. Bernard Parish, Louisiana

Dear Mr. Magee:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory J. DuCote".

Gregory J. DuCote
Administrator
Interagency Affairs/Field Services Division

GJD/JDH/paw

cc: David Butler, LDWF
William McCartney, St. Bernard Parish
Post Office Box 44487 • Baton Rouge, Louisiana 70804-4487
617 North Third Street • 10th Floor • Suite 1078 • Baton Rouge, Louisiana 70802
(225) 342-7591 • Fax (225) 342-9439 • <http://www.dnr.louisiana.gov>
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SCOTT A. ANGELLE
SECRETARY

State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

November 18, 2009

Craig Taffaro, Jr.
St. Bernard Parish Government
8201 West Judge Perez Drive
Chalmette, LA 70043

RE: **C20090590**, Coastal Zone Consistency
St. Bernard Parish
LDA - Federal Assistance
Construct a new water treatment plant on East St. Bernard Highway in Chalmette
St. Bernard Parish, Louisiana

Dear Mr. Taffaro:

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory J. DuCote".

Gregory J. DuCote
Administrator
Interagency Affairs/Field Services Division

GJD/JDH/paw

cc: David Butler, LDWF
William McCartney, St. Bernard Parish

Post Office Box 44487 • Baton Rouge, Louisiana 70804-4487
517 North Third Street • 10th floor • Suite 1078 • Baton Rouge, Louisiana 70802
(225) 342-7591 • Fax (225) 342-9439 • <http://www.dnr.louisiana.gov>

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Natural Resources Conservation Service
14246 US Hwy. 90
P.O. Box 531
Boutte, LA 70039
985-758-2162 Ext. 3

February 19, 2010

Thomas Magee
Frye/Magee, LLC
117 Tioga Road
Ball, LA 71405

RE: Prime Farmland Determination for the installation of a new raw water intake pumping station in Chalmette, Louisiana, St. Bernard Parish

Dear Mr. Magee:

Please find attached Form AD-1006, Farmland Conversion Impact Rating form, for the installation of a new raw water intake pumping station in Chalmette, Louisiana, St. Bernard Parish.

This area is considered an urban area and is previously developed as commercial land, thus there will be no impact to prime farmland and it appears the project will not impact any NRCS work in the immediate area. Therefore, this portion of the project is exempt from the regulations of the Farmland Protection and Policy Act. I have documented on the AD-1006 that no farmlands will be impacted from this proposed land use.

If I can be of any further assistance, please do not hesitate to call me at 985-758-2162 x=3.

Sincerely,

Michael Trusclair
District Conservationist
New Orleans Field Office



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

October 21, 2009

Mr. Craig P. Taffaro, Jr.
President
St. Bernard Parish
8201 W. Judge Perez Dr.
Chalmette, LA 70043

Dear Mr. Taffaro:

We have received your October 6, 2009, letter requesting our evaluation of the potential environmental impacts which might result from the following project:

**Installation Raw Water Intake
Pumping Station
1111 East Street
Bernard Highway
St. Bernard Parish, Louisiana**

In administering the sole source aquifer (SSA) program under Section 1424 of the Safe Drinking Water Act our Office performs evaluations of projects with federal financial assistance which are located over a designated sole source aquifer.

Based on the information provided, we have concluded that the project does not lie within the boundaries of a designated sole source aquifer and is thus not eligible for review under the SSA program.

If you did not include the Parish/County; a legal description; project location and the latitude and longitude if available, please do so in future Sole Source Aquifer correspondence. To view a map of the Sole Source Aquifer delineation(s) for your state go to the following website. <http://www.epa.gov/region6/water/swp/ssa/maps.htm>

If you have any questions on this letter or the sole source aquifer program please contact me at (214) 665-7133.

Sincerely yours,

A handwritten signature in black ink that reads "Michael Bechdol".

Michael Bechdol, Coordinator
Sole Source Aquifer Program
Ground Water/UIC Section

cc: Howard Fielding, LDEQ



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

October 28, 2009

Mr. Craig P. Taffaro, Jr.
Parish President
St. Bernard Parish
8201 WW Judge Perez Dr.
Chalmette, La 70043

Dear Mr. Taffaro:

We have received your October 15, 2009, letter requesting our evaluation of the potential environmental impacts which might result from the following project:

**Construction of Water
Treatment Plant
1111 East Street
Bernard Highway
St. Bernard Parish
Chalmette, Louisiana**

In administering the sole source aquifer (SSA) program under Section 1424 of the Safe Drinking Water Act our Office performs evaluations of projects with federal financial assistance which are located over a designated sole source aquifer.

Based on the information provided, we have concluded that the project does not lie within the boundaries of a designated sole source aquifer and is thus not eligible for review under the SSA program.

If you did not include the Parish/County; a legal description; project location and the latitude and longitude if available, please do so in future Sole Source Aquifer correspondence. To view a map of the Sole Source Aquifer delineation(s) for your state go to the following website: <http://www.epa.gov/region6/water/swp/ssa/maps.htm>

If you have any questions on this letter or the sole source aquifer program please contact me at (214) 665-7133

Sincerely yours,

A handwritten signature in black ink that reads "Michael Bechdol".

Michael Bechdol, Coordinator
Sole Source Aquifer Program
Ground Water/UIC Section

cc Howard Fielding, LDEQ
Maurice Rawls, 6WQ-AP
Recycled RecycleLife • 11/11



St. Bernard Parish Government

8201 West Judge Perez Drive
Phone (504) 278-4200

Chalmette Louisiana 70043
Fax (504) 278-4264

Craig P. Taffaro, Jr.
Parish President

October 15, 2009

Endangered Species Coordinator
U. S. Fish and Wildlife Service
646 Cajun Dome Blvd., Suite 400
Lafayette, Louisiana 70506

Re: 12 MGD Water Treatment Plant
CDBG Funded Project
Chalmette, St. Bernard Parish

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

Debra A. Fuller *10/16/09*

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

Date

Dear Sirs:

As part of the Louisiana Disaster Recovery Program, the St. Bernard Parish Government proposes the construction of a new 12 mgd water treatment plant located on 1111 East St. Bernard Highway to serve the water needs of St. Bernard Parish. The proposed project is a part of the St. Bernard Parish Long Term Disaster Recovery Program through the Louisiana Recovery Authority (LRA) and the Office of Community Development Disaster Recovery Unit. The final new plant process design will be determined during the Design Memorandum phase of the design phase. A likely plant configuration is described below:

- Except for the ground storage tanks, the existing facilities will be replaced in the proposed construction of a water treatment plant designed to treat 12mgd.
- A new chemical feed facility will house bulk chemical storage and feed systems. The chemical feed facility will house chlorine, ammonia, polymer and alum. Other chemicals will be added if appropriate for the final process selected.
- Raw water will be discharged into a flocculation and sedimentation unit. Settled solids will be collected for return to the Mississippi River through the solids retention tanks.
- Settled water will flow to either a filter building or a membrane building. Either technology will produce finished water ready for distribution after disinfection. Finished water will be pumped into the ground storage tanks. Water from the storage tanks will be pumped into the distribution system using the high service pumps.
- Settled solids and filter backwash, if the gravity filter option is selected, will be pumped to the solids retention tanks. Existing treatment tanks from the 1950's plant will be modified for use as the solids retention tanks.

- Solids for the solids retention tanks will be discharged back into the Mississippi River.
- The proposed construction work will be phased to allow continual pumping and treatment while the proposed improvements are under construction.

In accordance with the 24 CFR Part 58. Environmental Review procedure, the St. Bernard Parish Government is requesting comments relative to any impact the above described improvements may have on:

1. Endangered Species

We request you submit your response by e-mail to kendall.magee@tryemagee.com and by regular mail to Kendall Magee, ENVIRON International Corporation, 117 Tioga Road, Pineville, Louisiana 71360.

If you have any questions or request additional information, please do not hesitate to contact us

Sincerely,



Craig P. Taffaro, Jr
Parish President

Attachments



BOBBY JINDAL
GOVERNOR

State of Louisiana
DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF WILDLIFE

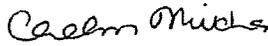
ROBERT J. BARHAM
SECRETARY
JIMMY L. ANTHONY
ASSISTANT SECRETARY

Date October 29, 2009
Name Kendall Magee
Company ENVIRON International Corp.
Street Address 117 Tioga Road
City, State, Zip Pineville, LA 71360
Project St. Bernard Parish Government
Installation of New Raw Intake Pumping Station
Project ID 4082009
Invoice Number 09102906

Personnel of the Habitat Section of the Coastal & Non-Game Resources Division have reviewed the preliminary data for the captioned project. After careful review of our database, no impacts to rare, threatened, or endangered species or critical habitats are anticipated for the proposed project. No state or federal parks, wildlife refuges, scenic streams, or wildlife management areas are known at the specified site within Louisiana's boundaries.

The Louisiana Natural Heritage Program (LNHP) has compiled data on rare, endangered, or otherwise significant plant and animal species, plant communities, and other natural features throughout the state of Louisiana. Heritage reports summarize the existing information known at the time of the request regarding the location in question. The quantity and quality of data collected by the LNHP are dependent on the research and observations of many individuals. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Louisiana have not been surveyed. This report does not address the occurrence of wetlands at the site in question. Heritage reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. LNHP requires that this office be acknowledged in all reports as the source of all data provided here. If at any time Heritage tracked species are encountered within the project area, please contact the LNHP Data Manager at 225-765-2643. If you have any questions, or need additional information, please call 225-765-2357.

Sincerely,


for Gary Lester, Coordinator
Natural Heritage Program



BOBBY JINDAL
GOVERNOR

State of Louisiana
DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF WILDLIFE

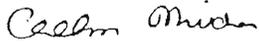
ROBERT J. BARHAM
SECRETARY
JIMMY L. ANTHONY
ASSISTANT SECRETARY

Date July 13, 2010
Name Craig P. Taffaro, Jr.
Company St. Bernard Parish Government
Street Address 8201 West Judge Perez Drive
City, State, Zip Chalmette, LA 70043
Project 12 MGD Water Treatment Plant
Project ID
Invoice Number 10071701

Personnel of the Habitat Section of the Coastal & Nongame Resources Division have reviewed the preliminary data for the captioned project. After careful review of our database, no impacts to rare, threatened, or endangered species or critical habitats are anticipated for the proposed project. No state or federal parks, wildlife refuges, scenic streams, or wildlife management areas are known at the specified site within Louisiana's boundaries.

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Sincerely,

for 
Amity Bass, Coordinator
Natural Heritage Program

cc: Thomas Magee

BOBBY JINDAL
GOVERNOR



HAROLD LEGGETT, PH.D.
SECRETARY

State of Louisiana
DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL SERVICES

AUG 13 2009



Burk-Kleinpeter, Inc.
4176 Canal Street
New Orleans, LA 70119

Attention: Daniel Caluda, Agent for the St. Bernard Parish Government

RE: Water Quality Certification (WQC 090526-03/AI 105663/CER 20090001)
Corps of Engineers Permit (MVN-2009-0462-EKK)
Coastal Management Division Permit (P20090126)
St. Bernard Parish

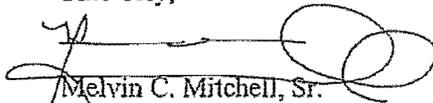
Dear Mr. Caluda:

The Department has received your application for a U.S. Army Corps of Engineers permit for the replacement of a pump station, on the left descending bank of the Mississippi River near mile post 88.3 in Meraux, Louisiana.

Since this project has been issued a New Orleans District General Permit 22 (NOD-22), a Louisiana Water Quality Certification will not be required.

Should the plans for the project change; the Department will need to be notified immediately, before any discharge of fill material has occurred. Should you have any further questions, please call me or Jamie Phillippe at 225-219-3003.

Sincerely,


Melvin C. Mitchell, Sr.
Administrator
Water Permits Division
MCM/jjp

c: Corps of Engineers- New Orleans District
Coastal Management Division

Thomas Magee

From: Kendall Magee
Sent: Thursday, October 29, 2009 3:31 PM
To: Thomas Magee <thomas.magee@fryemagee.com>
Subject: FW: DEQ SOV: 91027/2535 12 MGD Water Treatment Plant

From: Diane Hewitt [mailto:Diane.Hewitt@LA.GOV]
Sent: Thursday, October 29, 2009 1:09 PM
To: Kendall Magee
Subject: DEQ SOV: 91027/2535 12 MGD Water Treatment Plant

October 29, 2009

Craig P. Taffaro, Jr., Parish Pres.
St. Bernard Parish Government
8201 W. Judge Perez Dr.
Chalmette, LA 70043
kendall.magee@fryemagee.com

RE:
91027/2535 12 MGD Water Treatment Plant
CDBG funds
St. Bernard Parish

Dear Mr. Taffaro:

The Department of Environmental Quality (LDEQ), Offices of Environmental Assessment and Environmental Services have received your request for comments on the above referenced project. Please take any necessary steps to obtain and/or update all necessary approvals and environmental permits regarding this proposed project.

There were no objections based on the information in the document submitted to us. However, the following comments have been included below. Should you encounter a problem during the implementation of this project, please notify LDEQ's Single-Point-of-contact (SPOC) at (225) 219-3640.

The Office of Environmental Services/Permits Division recommends that you investigate the following requirements that may influence your proposed project:

- If your project results in a discharge to waters of the state, submittal of a Louisiana Pollutant Discharge Elimination System (LPDES) application may be necessary.
- If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater
- LDEQ has stormwater general permits for construction areas equal to or greater than one acre. It is recommended that you contact the LDEQ Water Permit Division at (225) 219-3181 to determine if your proposed improvements require one of these permits.
- All precautions should be observed to control nonpoint source pollution from construction activities.
- If any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps directly to inquire about the possible necessity for permits. If a Corps permit is required, part of the application process may involve a water quality certification from LDEQ.
- All precautions should be observed to protect the groundwater of the region
- Please be advised that water softeners generate wastewaters that may require special limitations depending on local water quality considerations. Therefore if your water system improvements include water softeners, you are

advised to contact the LDEQ Water Permits to determine if special water quality-based limitations will be necessary.

- Any renovation or remodeling must comply with LAC 33:III.Chapter 28.Lead-Based Paint Activities, LAC 33:III.Chapter 27.Asbestos-Containing Materials in Schools and State Buildings (includes all training and accreditation), and LAC 33:III.5151.Emission Standard for Asbestos for any renovations or demolitions.
- If any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents are encountered during the project, notification to LDEQ's Single-Point-of-Contact (SPOC) at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous constituents

Currently, St. Bernard Parish is classified as an attainment parish with the National Ambient Air Quality Standards for all criteria air pollutants.

Please forward all future requests to Ms. Diane Hewitt, LDEQ/Performance Management/ P.O. Box 4301, Baton Rouge, LA 70821-4301, and your request will be processed as quickly as possible

If you have any questions, please feel free to contact me at (225) 219-4079 or by email at diane.hewitt@la.gov. Permitting questions should be directed to the Office of Environmental Services at (225) 219-3181.

Sincerely,

Diane Hewitt
Performance Management
LDEQ/Community and Industry Relations
Business and Community Outreach Division
Office of the Secretary
P.O. Box 4301 (602 N. 5th Street)
Baton Rouge, LA 70821-4301
Phone: 225-219-4079
Fx: 225-325-8208
E-mail: diane.hewitt@la.gov



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267
JAN 27 2010

Operations Division
Surveillance and Enforcement Section

Mr. Kendall Magee
ENVIRON
117 Tioga Road
Pineville, LA 71360

Dear Mr. Magee:

Reference is made to your request, on behalf of St. Bernard Parish, for a U.S. Army Corps of Engineers' (Corps) jurisdictional determination on property located in Section 5, Township 13 South, Range 12 East, St. Bernard Parish, Louisiana (enclosed map). Specifically, this property is identified as the proposed site for the construction of a new water treatment plant at 1111 East St. Bernard Highway.

Based on review of recent maps, aerial photography, and soils data, we have determined that this property is not in a wetland subject to Corps' jurisdiction. A Department of the Army permit under Section 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site.

Please be advised that this property is in the Louisiana Coastal Zone. For additional information regarding coastal use permit requirements, contact Ms. Christine Charrier, Coastal Management Division, Louisiana Department of Natural Resources at (225) 342-7953.

You and your client are advised that you must obtain a permit from a local assuring agency, usually a Levee Board or Parish Council, for any work within 1500 feet of a federal flood control structure such as a levee. You must apply by letter to the appropriate agency including full-size construction plans, cross sections, and details of the proposed work. Concurrently with your application to the assuring agency, you must also forward a copy of your letter and plans to Ms. Amy Powell, Operations Manager for Completed Works of the Corps and to the appropriate regional office of the Louisiana Department of Transportation and Development (LA DOTD) or the Office of Coastal Protection and Restoration (OCPR) for their review and comments concerning the proposed work. The assuring agency will not issue a permit for the work to proceed until they have obtained letters of no objection from both of these reviewing agencies. For additional information, please contact Ms. Powell at (504) 862-2241.

You and your client are advised that this approved jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revision prior to the

expiration date or the District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

Should there be any questions concerning these matters, please contact Mr. Brad Guarisco at (504) 862-2274 and reference our Account No. MVN-2009-02839-SB. The New Orleans District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please complete and return the enclosed Customer Service Survey or complete the survey on our web site at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,



Pete J. Serio
Chief, Regulatory Branch

Enclosures

U.S. ARMY CORPS OF ENGINEERS

APPROVED

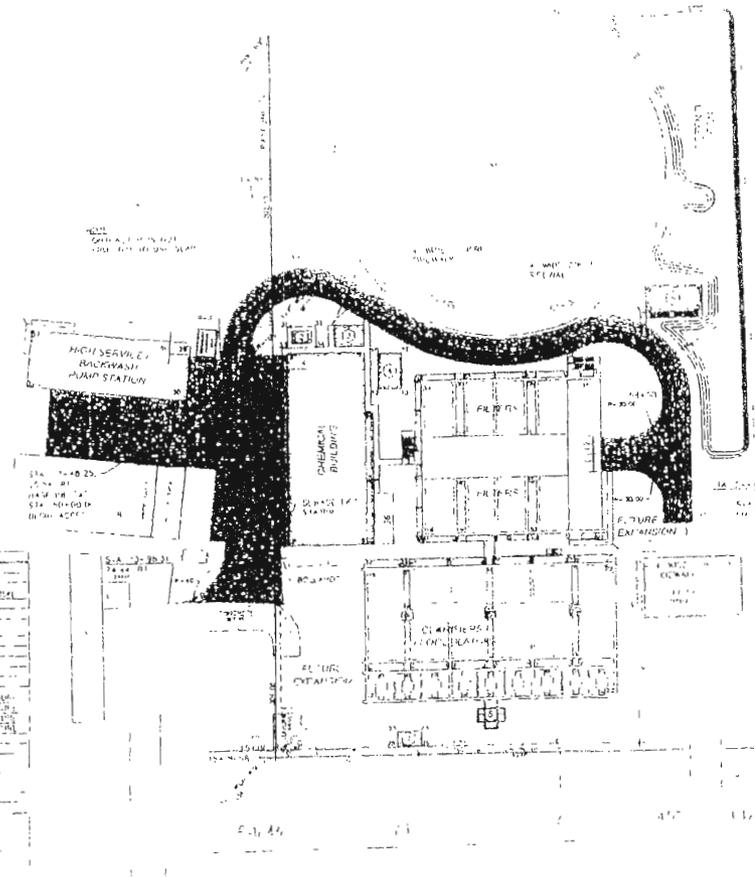
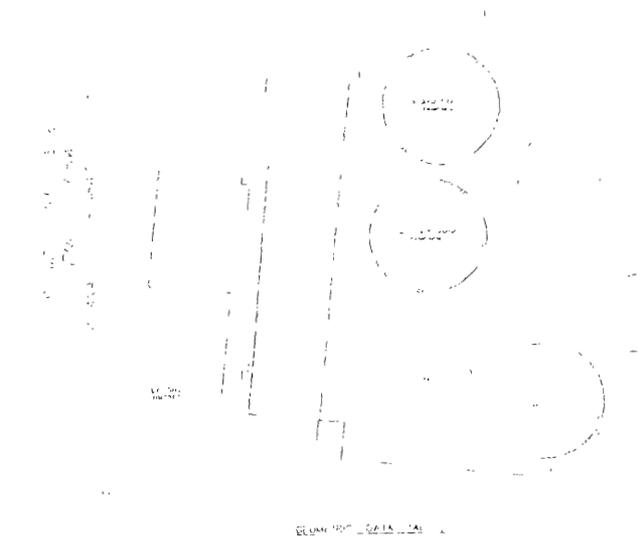
JURISDICTIONAL DETERMINATION

DATE	12/3/09
BY	BRAD GUARISCO
FOR	MAGEE, KENDALL
PROJECT	2009-02839

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USACE

I.H 12/3/09

BY BRAD GUARISCO

FOR MAGEE, KENDALL
(#MMW-2009-02839) -SB

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APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

To view the unedited version of the form go to: <http://www.mvn.usace.army.mil/regulatory/finalform.htm>.

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): December 3, 2009

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: MVN-2009-02839-SB

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Louisiana County/parish/borough: St. Bernard City: Chalmette
Center coordinates of site (lat/long in degree decimal format): Lat. 29.93305° N, Long. 89.95031° W.
Universal Transverse Mercator: 15N

Name of nearest waterbody: Mississippi River

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows:

Name of watershed or Hydrologic Unit Code (HUC): 08090203

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: December 3, 2009

Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are **no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are **no** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

SECTION III THRU V. Not Applicable

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant:

Data sheets prepared/submitted by or on behalf of the applicant/consultant.

Office concurs with data sheets/delineation report.

Office does not concur with data sheets/delineation report.

Data sheets prepared by the Corps:

Corps navigable waters' study:

U.S. Geological Survey Hydrologic Atlas

USGS NHD data.

USGS 8 and 12 digit HUC maps.

U.S. Geological Survey map(s). Cite scale & quad name: 1: 24,000 Chalmette SW

USDA Natural Resources Conservation Service Soil Survey Citation: St. Bernard Parish Soil Survey

National wetlands inventory map(s). Cite name.

State/Local wetland inventory map(s):

FEMA/FIRM maps: 225204 0290B.

100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)

Photographs: Aerial (Name & Date): ArcMap '98, '04, '05, '06, '08.

or Other (Name & Date):

Previous determination(s). File no. and date of response letter:

Applicable/supporting case law:

Applicable/supporting scientific literature:

Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD: The entire project site consist of uplands

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Mr. Kendall Magee

File No.: MVN-2009-02839-SB

Date: JAN 27 2010

Attached is:

See Section below

	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
x	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

(over)

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Rob Heffner (504-862-1288)
Chief, Surveillance and Enforcement Section
U.S. Army Corps of Engineers
P.O. Box 60627
New Orleans, LA 70160

If you only have questions regarding the appeal process you may also contact the Division Engineer through.

James B. Wiseman, Jr.
Administrative Appeals Review Officer
Mississippi Valley Division
P.O. Box 80 (1400 Walnut Street)
Vicksburg, MS 39181-0080
(601) 634-5820
(601) 634-5816 (fax)

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:
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DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

JUL 1 6 2009

REPLY TO
ATTENTION OF

Operations Division
Eastern Evaluation Section

SUBJECT: Final Determination of Eligibility Under NOD-22
MVN 2009-00462 EKK

St. Bernard Parish Government
8201 West Judge Perez Drive
Chalmette, Louisiana 70043

Gentlemen:

This letter constitutes a Final Determination of Eligibility.

The final determination is as follows:

a. The proposed work, to replace an existing raw water pumping station located on the left descending bank of the Mississippi River, at a point about 88.3 miles above Head of Passes, at Meraux, in St. Bernard Parish, Louisiana, as shown on the enclosed drawings, is authorized under (General Permit) NOD-22 provided that all conditions of the permit are met. This approval to perform work is valid for 5 years from the date of this letter.

b. Prior to commencing work on your project, you must obtain approvals from state and local agencies as required by law and by terms of this permit. These approvals include, but are not limited to, a permit or waiver from the Coastal Management Division of the Louisiana Department of Natural Resources and a water quality certification from the Louisiana Department of Environmental Quality.

c. The following special conditions are added to the permit:

1. Permittee is aware that this office may reevaluate its decision on this permit at any time the circumstances warrant.
2. All work must be performed when the stage of the Mississippi River is below elevation +11 feet on the Carrollton gage, New Orleans, Louisiana.
3. The permittee must resurface the levee crown ramp over the pipeline crossing with crushed stone at least 7-inches in thickness for the full width (10 feet minimum) and length of the ramp.
4. The fill material used for cover over the pipeline must be an impervious material (i.e. clay) and is compacted to a 95% standard Proctor density.

5. The fill material placed over the pipeline on the landside and riverside levee slopes is fertilized and seeded to promote new grass growth.
6. The access road used by the permittee must be maintained in accordance with standard criteria and to the satisfaction of the Lake Borgne Basin Levee District, Louisiana Department of Transportation and Development and the Corps of Engineers.
7. Any damage to the levee and/or batture as a result of the permittee's activities must be repaired at the permittee's expense.
8. Should changes in the location or section of the existing levee and/or river, or in the generally prevailing conditions in the vicinity, be required in the future in the public interest, the permittee shall make changes in the project concerned, or in the arrangement thereof, as may be necessary to satisfactorily meet the situation and shall bear the cost thereof.
9. Operations must not interfere with navigation and shall be coordinated with the U.S. Coast Guard.
10. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

d. The New Orleans District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete and return the attached Customer Service Survey or go to the survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>.

e. Your Department of the Army permit authorization number for this project is MVN 2009-00462 EKK

Sincerely,


Pete Serio
Chief, Regulatory Branch

Enclosure

Copies Furnished: with enclosure

U.S. Fish & Wildlife Service
646 Cajundome Blvd., Suite 400
Lafayette, Louisiana 70506

National Marine Fisheries Service
c/o LSU Center for Wetland Resources
Baton Rouge, Louisiana 70803-7535

Louisiana Department of Environmental Quality
Office of Environmental Affairs
Post Office Box 44066
Baton Rouge, Louisiana 70804

State Historic Preservation Officer
Post Office Box 44247
Baton Rouge, Louisiana 70804-4247

Louisiana Department of Natural Resources
Coastal Management Division
Post Office Box 44487
Baton Rouge, Louisiana 70804-4487

U.S. Coast Guard
Commanding Officer
Marine Safety Office
1615 Poydras Street
New Orleans, Louisiana 70112-1254

Ecological Studies Section
La. Department of Wildlife & Fisheries
Post Office Box 98000
Baton Rouge, Louisiana 70898-9000

Lake Borgne Basin Levee District

6136 East St. Bernard Hwy.
POST OFFICE BOX 216
VIOLET, LA 70092
Email: admin@lbbld.com
Phone: (504) 682-5941
Fax: (504) 682-5942

September 8, 2009

Daniel S. Caluda, Jr.
Burk-Kleinpeter, Inc.
4176 Canal Street
New Orleans, Louisiana 70119-5994

**LETTER OF PERMISSION
LBBLD LOP-0909-02-09-08-09**

Permit Applicant/Owner: St. Bernard Parish Government

Agent: Burk-Kleinpeter, Inc.

Date of Request: 02-13-2009

Date of Revised Request: 05-21-2009 (e-mail)

Applicant/Owner's Request: Permission to replace existing Raw Water Pumping Station at Meraux.

Project Location: Work is on the River Batture on the left descending Mississippi River bank, vicinity of second order levee station 208+09, at or near Meraux, Louisiana, in St. Bernard Parish.

The above referenced request has been examined by the District 02 Design, Water Resources and Development Section for the Louisiana Department of Transportation and Development (LDOTD), and no objection is proffered provided certain listed provisions are adhered to.

The above referenced request has been examined by the U. S. Army Corps of Engineers (USACE), and no objection is proffered provided certain listed provisions are adhered to.

In consideration of the above, the Lake Borgne Basin Levee District does hereby grant permission to APPLICANT/OWNER to perform the requested Work within or adjacent to the Levee District right-of-way provided:

1. A copy of this Letter of Permission, along with a set of approved plans shall be kept on the job site for the duration of the Work and made readily available for any inspector to determine that the Work taking place has been permitted by Lake Borgne Basin Levee District, and is being conducted in

LBBLD LOP-0909-02-09-08-09
St. Bernard Parish Government
September 8, 2009
Page 1 of 4

accordance with approved plans. Failure to do so may result in construction delays.

2. That the Work is accomplished in accordance with the details set forth in the initial request letter dated February 13, 2009 and revised request dated May 21, 2009 (e-mail) and accompanying drawings as submitted by AGENT on behalf of APPLICANT/OWNER and the conditions contained herein. Any changes to the limits or scope of the proposed Work must be submitted for additional review.
3. That the Levee District is given notice in writing at least 72 hours prior to commencement of and at the end of activities so that appropriate inspections can be made. APPLICANT/OWNER may send notification via email. However, APPLICANT/OWNER is responsible for verifying receipt of notification.
4. That APPLICANT/OWNER is responsible for obtaining and providing copies of any permits or lease agreements necessary from the U.S. Army Corps of Engineers, the State Land Office, the Parish Government, and/or any other applicable agencies, as well as documented approval from the area landowner(s) prior to the initiation of the Work. APPLICANT/OWNER is responsible for adhering to the provisions of any existing permits.
5. That the Work is performed in strict accordance with the stipulations set forth in the Letter of No Objection from LDOTD dated June 29, 2009; attached and made a part hereof.
6. That the Work is performed in strict accordance with the stipulations set forth in the Letter of No Objection from the USACE dated June 24, 2009; attached and made a part hereof.
7. That the proposed Work does not restrict the Levee District's maintenance operations, or any potential flood fight activities at the levee, nor shall it obstruct or impede drainage, or create areas of standing water on the levee batture. APPLICANT/OWNER must employ and maintain at the project site suitable erosion protection measures to the satisfaction of the Levee District. APPLICANT/OWNER must immediately notify the Levee District of any seepage or sand boils that occur during high water conditions. Contact Timothy L. Jarquin, Executive Director, at (504) 682-5941.
8. That the proposed Work does not occur during sodden levee conditions providing the Work takes place on or within 500 feet of the levee.
9. That the proposed activities occur and are completed prior to, or after high water stages such that no operations are conducted at saturated levee systems. Authorization for work periods will be determined at the discretion of the Levee District.

10. That precaution is taken to ensure that no construction material, demolition material, or debris falls into the waterway or near the bank of the waterway during construction or demolition activities.
11. That there is no penetration, excavation, disturbance, or placement of structures within the theoretical levee design section.
12. That all proposed levee crossings are constructed and maintained in accordance with the "Typical Pipeline Levee Crossings, File M-2159-1," prepared by the Department of Transportation & Development – Division of Flood Control and Water Management.
13. That all activities must be coordinated and performed with the approval and monitoring of the U.S. Army Corps of Engineers.
14. That the ground surface is properly swaled or contoured to properly drain to subsurface drainage inlets and away from the levee toe.
15. That all earthwork fill is properly compacted, and the finished slopes fertilized and seeded, all to the satisfaction of the Levee District.
16. That the APPLICANT/OWNER is responsible for maintaining the existing level of flood protection at all times to the satisfaction of the Levee District.
17. That all work is performed and completed when the stage of the Mississippi River is below elevation +11.0 feet on the Carrollton gage, New Orleans, Louisiana. Information concerning current river stages may be obtained at www.mvn.usace.army.mil.
18. That APPLICANT/OWNER resurfaces the levee crown ramp over the pipeline crossing with crushed stone at least 7-inches in thickness for the full width (10 feet minimum) and length of the ramp.
19. That the fill material used for cover over the pipeline is an impervious material (i.e., clay) and is compacted to a 95% standard Proctor density.
20. That the fill material placed over the pipeline on the landside and riverside levee slopes is fertilized and seeded to promote new grass growth.
21. That the access road used by the APPLICANT/OWNER is maintained in accordance with standard criteria and to the satisfaction of Lake Borgne Basin Levee District, Louisiana Department of Transportation and Development (LDOTD), and the Corps of Engineers.
22. That any damage to the levee and/or batture as a result of the APPLICANT/OWNER'S activities is repaired at the APPLICANT/OWNER'S expense and to the satisfaction of the Levee District.

23. That all materials associated with the proposed Work must be removed from the area upon completion of the project and the area must be returned to its original state of existence or better. Any damage done to the levee/canal, floodwall or other flood control structure, revetment, or surrounding project area, resulting from the proposed Work must be repaired or replaced by APPLICANT/OWNER at the APPLICANT/OWNER'S expense and to the satisfaction of the Levee District.
24. That APPLICANT/OWNER provides the Levee District a certificate of insurance for all Contractors/Sub-contractors working on the project as required by the "Lake Borgne Basin Levee District General Contracts Insurance Requirements" (copy attached). The certificate(s) of insurance must name Lake Borgne Basin Levee District as an additional insured and contain a waiver of subrogation. The certificate(s) must accurately identify the project and location. Failure to comply with this requirement may result in construction delays.
25. That APPLICANT/OWNER provides the Levee District a hold harmless agreement, which is signed by a legally authorized representative of the APPLICANT/OWNER, Contractor, or Sub-Contractor and signed, sealed, and dated by Notary Public. Proof of authorization must accompany the agreement, i.e. corporate resolution.
26. That should any change in the location of the existing levee, river, floodwall, drainage canal, waterway or in the generally prevailing conditions in the vicinity, or should changes in the area be required in the future in the public interest, APPLICANT/OWNER shall make changes in the project concerned, or in the arrangement thereof, as may be necessary to satisfactorily meet the situation and shall bear the cost thereof.

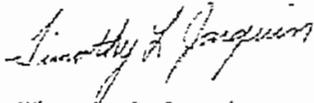
This letter of permission is offered with no opinion or approval to the design or engineering feasibility of the Work.

No interpretation or comments regarding local laws, zoning, or ordinances concerning property rights, etc., have been made. Additionally, this letter of permission does NOT obviate APPLICANT/OWNER'S requirement to obtain federal, state, or local permits required by law.

Be advised that the Lake Borgne Basin Levee District reserves the right to revoke this letter of permission if any damage is done to the levee and/or the surrounding area, or if unsafe conditions are encountered resulting from APPLICANT/OWNER'S activities.

Be also advised that this letter of permission is valid for one (1) year beginning September 8, 2009 and extending through September 8, 2010 or until the Work is completed, whichever is sooner. Should the Work extend past the one-year deadline, APPLICANT/OWNER shall submit a written request for an extension to the Levee District prior to expiration of this letter of permission.

Sincerely,



Timothy L. Jarquin
Executive Director

TLL:ajb

cc: Michael Celestine, LDOTD, New Orleans
Antonio German, LDOTD, Baton Rouge
Karen Oberlies, USACE



BOBBY JINDAL
GOVERNOR

STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
District Design, Water Resources and Development Section
7252 Lakeshore Drive
New Orleans, Louisiana 70124

June 29, 2009



WILLIAM D. ANKNER, Ph.D.
SECRETARY

Lake Borgne Basin Levee District
Post Office Box 216
Violet, Louisiana 70092

Attention: Mr. Robert Turner, SLFPA East

PERMIT REQUEST
FORM OF NO OBJECTION

This Letter of No Objection is not a regulatory permit and does not authorize the implementation of any project without documented approval from all appropriate regulatory authorities.

Permit Applicant: St. Bernard Parish Government

Agent: Burk-Kleinpeter, Inc.

Date of Request: 02-13-2009

Date of Revised Request: 05-21-2009

Applicant's Request: Permission to replace existing Raw Water Pumping Station at Meraux

Project Location: Work is on the River Batture on the left descending Mississippi River bank, vicinity of second order levee station 208+09, at Meraux, Louisiana, in St. Bernard Parish.

The above referenced request has been examined by the District 02 Design, Water Resources and Development Section for the Department of Transportation and Development, and no objection is proffered for this request, provided:

1. This Letter of No Objection is only for stated work within or adjacent to the Levee District right-of-way, and must be accomplished in accordance with the details set forth in the applicant's request and the conditions contained herein. Any changes to the limits or scope of the proposed work must be submitted for additional review. The Levee District must be contacted in writing prior to commencement and at the end of activities. The applicant is responsible for obtaining and providing copies of any permits or lease agreements necessary from the U.S. Army Corps of Engineers, the State Land Office, the Parish Government, and/or any other applicable agencies, as well as documented approval from the area landowner(s) prior to the initiation of the work. The applicant is responsible for adhering to the provisions of any existing permits.
2. The proposed work must not restrict the Levee District's maintenance operations, or any potential flood fight activities at the levee, nor shall it obstruct or impede drainage, or create areas of standing

water on the levee batture. The applicant must employ and maintain at the project site suitable erosion protection measures to the satisfaction of the Levee Board. The applicant or owner must immediately notify the Levee Board of any seepage or sand boils that occur during high water conditions.

3. All materials associated with the proposed work must be removed from the area upon completion of the project and the area must be returned to its original state of existence or better. Any damage done to the levee, floodwall or other flood control structure, revetment, or surrounding project area, resulting from the proposed work must be repaired or replaced by the applicant. Finally, should any change in the location of the existing levee, river, floodwall, drainage canal, waterway, or general prevailing conditions in the vicinity, or should any changes in the area be required in the future, in the public interest, the applicant at his own expense shall make such changes in the project as necessary.
4. That the proposed activities occur and are completed prior to, or after high water stages such that no operations are conducted at saturated levee systems. Authorization for work periods will be determined at the discretion of the Levee Board.
5. That precaution is taken to ensure that no construction material, demolition material, or debris falls into the waterway or near the bank of the waterway during construction or demolition activities.
6. That no excavation, pile driving or fill placement is performed when the Mississippi River attains or exceeds + 11.0 ft. NGVD, at the Carrollton gage at New Orleans, without prior documented approval to the contrary from the U.S. Army Corps of Engineers-New Orleans District.
7. That there is no penetration, excavation, disturbance, or placement of structures within the theoretical levee design section.
8. That all proposed levee crossings are constructed and maintained in accordance with the "Typical Pipeline Levee Crossings, File M-2159-1," prepared by the Department of Transportation & Development - Division of Flood Control and Water Management.
9. That all activities must be coordinated and performed with the approval and monitoring of the U.S. Army Corps of Engineers.
10. That the ground surface is properly swaled or contoured to properly drain to subsurface drainage inlets and away from the levee toe.
11. That all earthwork fill is properly compacted, and the finished slopes fertilized and seeded, all to the satisfaction of the Levee Board.
12. That the applicant is responsible for maintaining the existing level of flood protection at all times to the satisfaction of the Levee Board.

Special Notes:

That prior to commencement of any proposed work or construction, the applicant shall apply for, and obtain, any required permits from the appropriate city and/or Parish agencies.

That the proposed work is performed in strict accordance with all of the conditions set forth in the permit applicant's request and supporting drawings and documentations.

2009-06-29

Page 3

Please be advised that you must request a waiver from the U.S. Army Corps of Engineers to perform the excavation work while the Mississippi River water level is above elevation +11.0 feet.

This letter of no objection is offered with no opinion or approval to the design or engineering feasibility of the work. IF we can be of further assistance, please contact Sharon C. Terrebonne at (504) 816-7308.

Yours very truly,



For Michael J. Stack, P.E., P.L.S.
District Administrator

29562/ms/sct

cc:

Mr. Larry B. Ardoin, DOTD
Mr. Robert Turner, SLFPA East
Mr. Stevan Spencer, SLFPA East
Ms. Peggy Sembera, Lake Borgne Basin Levee District
U. S. Army Corps of Engineers
Mr. Daniel S. Caluda, Jr., Burk-Kleinpeter, Inc.



St. Bernard Parish Government

8201 West Judge Perez Drive
Phone (504) 278-4200

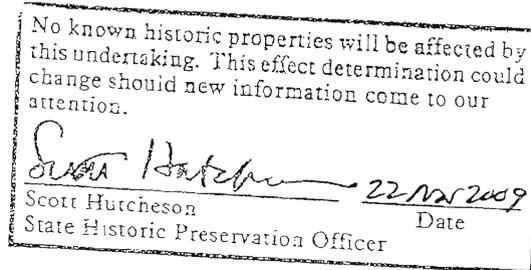
Chalmette, Louisiana 70043
Fax (504) 278-4264

Craig P. Taffaro, Jr.
Parish President

October 15, 2009

Mr. Scott Hutcheson
State Historic Preservation Officer
Department of Culture, Recreation and Tourism
P. O. Box 44247
Baton Rouge, Louisiana 70884-2231

Re: 12 MGD Water Treatment Plant
CDBG Funded Project
Chalmette, St. Bernard Parish



Dear Mr. Hutcheson:

As part of the Louisiana Disaster Recovery Program, the St. Bernard Parish Government proposes the construction of a new 12 mgd water treatment plant located on 1111 East St. Bernard Highway to serve the water needs of St. Bernard Parish. The proposed project is a part of the St. Bernard Parish Long Term Disaster Recovery Program through the Louisiana Recovery Authority (LRA) and the Office of Community Development Disaster Recovery Unit. The final new plant process design will be determined during the Design Memorandum phase of the design phase. A likely plant configuration is described below:

SHPO concurred
no objection
2/22/09

- Except for the ground storage tanks, the existing facilities will be replaced in the proposed construction of a water treatment plant designed to treat 12mgd.
- A new chemical feed facility will house bulk chemical storage and feed systems. The chemical feed facility will house chlorine, ammonia, polymer and alum. Other chemicals will be added if appropriate for the final process selected.
- Raw water will be discharged into a flocculation and sedimentation unit. Settled solids will be collected for return to the Mississippi River through the solids retention tanks.
- Settled water will flow to either a filter building or a membrane building. Either technology will produce finished water ready for distribution after disinfection. Finished water will be pumped into the ground storage tanks. Water from the storage tanks will be pumped into the distribution system using the high service pumps.

OCT 26 2009

- Settled solids and filter backwash, if the gravity filter option is selected, will be pumped to the solids retention tanks. Existing treatment tanks from the 1950's plant will be modified for use as the solids retention tanks.
- Solids for the solids retention tanks will be discharged back into the Mississippi River.
- The proposed construction work will be phased to allow continual pumping and treatment while the proposed improvements are under construction.

In accordance with the 24 CFR Part 58, Environmental Review procedure, the St. Bernard Parish Government is requesting comments relative to any impact the above described improvements may have on:

1. Archaeological or Historic Sites or Properties Listed in the National Register or Historic Places or Other Significant Cultural Resources; and,
2. Cultural Facilities

We request you submit your response by e-mail to kendall.magee@frvemagee.com and by regular mail to Kendall Magee, ENVIRON International Corporation, 117 Tioga Road, Pineville, Louisiana 71360. If you have any questions or request additional information, please do not hesitate to contact us.

Sincerely:



Craig P. Taffaro, Jr.
Parish President

Attachments

**Appendix C – Executive Order 11988 – Floodplain Eight-Step Decision
Making Process**

St. Bernard Parish Water Treatment Plant Clear Well
Pump Station – Holding Tank and Raw Water Intake Pipe
Project

**Executive Order 11988 – Floodplain Management
Eight-Step Decision Making Process**

In compliance with FEMA regulations implementing Executive Order 11988, Floodplain Management, FEMA is required to carry out the Eight-step decision-making process for actions that are proposed in the floodplain per 44 CFR §9.6. Executive Order 11988 requires federal agencies “to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of the floodplain and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.”

This eight-step process is applied to the proposed St. Bernard Parish Clear Well Pump Station – Holding Tank and Raw Water Intake Pump Station. Portions of the existing Project area are within the 100-year floodplain of Mississippi River and 500-year floodplain of Chalmette, Louisiana. The steps in the decision making process are as follows:

Step 1 Determine if the proposed action is located in the Base Floodplain.

The proposed project involves the replacement of two facilities; (1) the construction of a proposed Clear Well Pump Station – Holding Tank and Holding Tank to replace the current station located within the boundaries of the Water Treatment Plant property and (2) the construction on a propose 48-inch Raw Water Intake Pipe from the new 18 MGD raw water pump station to the Mississippi River.

The propose Clear Well Pump Station – Holding Tank will be located in the X Zone 500-year floodplain (500-year floodplain or 0.2% percent annual change of flood hazard) and the propose 48-inch Raw Water Intake Pipe from the new 18 MGD raw water pump station will be located in the AE Zone (100-year floodplain or 1% chance of flooding in any year) associated with the Mississippi River as depicted on the Preliminary Digital Flood Insurance Rate Map Panel Number 22087C0487D dated, November 9, 2012.

Federal guidelines promulgated in 44 CFR 9.4 define activities and facilities that even a slight chance of flooding poses too great a threat as a Critical Action. As a result, these actions are given special consideration when formulating regulatory alternatives and floodplain management plans. The propose Clear Well Pump Station – Holding Tank would be classified as a “critical action” because it will be an integral component of the new Water Treatment Plant that provides the critical function of potable water production to the residences of St. Bernard Parish.

Step 2 Early public notice (Preliminary Notice)

The Initial Public Notice concerning FEMA actions located in or that may affect wetland areas or the 100-year floodplain, and critical actions within the 500-year floodplain was published in the St. Bernard Voice newspaper in St. Bernard Parish on September 29, 2005.

A public notice concerning the proposed project in the floodplain was published in the St. Bernard Voice newspaper in conjunction with the Notice of Availability of the Draft EA document for public review. The St. Bernard Voice is the local and regional newspaper for the St. Bernard Parish area, including the floodplain area of St. Bernard Parish.

Step 3 Identify and evaluate alternatives to locating in the base floodplain.

The proposed Clear Well Pump Station – Holding Tank and the Raw Water Intake Pipe are functionally dependent on its location to be able to intake raw water from the Mississippi River. Therefore, there is no alternative to locating the Raw Water Intake Pipe in the base floodplain.

Step 4 Identify impacts of proposed action associated with occupancy or modification of the floodplain.

Impact on natural function of the floodplain

The proposed St. Bernard Clear Well Pump Station – Holding Tank and the Raw Water Intake Pipe would not impede or redirect floods. The project would be located in a partially developed area with existing infrastructure. When compared to the extensive floodplain area, the project will have little potential to impact the floodplain. Therefore, the Preferred Action should not result in an increased base discharge or increase the flood hazard potential to other structures.

Impact of the floodwater on the proposed facilities

The proposed St. Bernard Clear Well Pump Station has been designed to minimize impacts from flooding. The proposed pump station will be located among existing structures within the new Water Treatment Plant facility. However, there is a potential that the proposed Raw Water Intake Pipe, located in the Mississippi River, could be damaged if a catastrophic flooding event were to occur.

Step 5 Design or modify the proposed action to minimize threats to life and property and preserve its natural and beneficial floodplain values.

In order to reduce the impact identified in Step 4 of flood hazards on the proposed facilities, the proposed St. Bernard Clear Well Pump Station – Holding Tank and the Raw Water Intake Pipe will be designed to be compliant with FEMA recommendations for construction in flood hazard areas.

The Applicant must follow all applicable local, state, and federal laws, regulations and requirements and obtain and comply with all required permits and approvals, prior to initiating work on this project. No staging of equipment or project activities shall begin until all permits are obtained.

Step 6 Re-evaluate the proposed action.

Per the discussions above, the proposed project will be appropriately designed for the 100-year and 500-year floodplain. The project would be considered as functionally dependent because it must be able to intake raw water from the Mississippi River.

The proposed St. Bernard Clear Well Pump Station – Holding Tank and the Raw Water Intake Pipe project will not aggravate the current flood hazard because the project would not impede or redirect flood flows. The project will not disrupt floodplain values because it will not change water levels in the floodplain. Therefore, it is still practicable to construct the proposed project within the floodplain. Alternatives consisting of locating the project outside the floodplain or taking “no action” are not practicable.

Step 7 Findings and Public Explanation (Final Notification)

In accordance with 44 CFR §9.12, the St. Bernard Parish must prepare and provide a final public notice 15 days prior to the start of construction activities. Documentation of the public notice will be forwarded to FEMA for inclusion in the permanent project files.

Step 8 Implement the action

The St. Bernard Parish will incorporate into the design necessary mitigation efforts for building within a 100-year floodplain.

As a result of this Eight-step process, FEMA has determined that the proposed St. Bernard Parish Water Treatment Plant Clear Well Pump Station – Holding Tank and Raw Water Intake Pipe Project is in compliance with 44 CFR §9.6 because there are no practicable alternatives outside the 100-year floodplain.

Appendix D – Figures



FEMA RiskMAP6
Increasing Resilience Together

Flood Information Report
St. Bernard Parish, LA
Preliminary DFIRM Issued: 11/09/2012



Legend

- Streams
- Current BFE
- LiMWA
- Point of Interest

Current Flood Hazard Areas

Flood Zone:

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE, AO, AH, A99
- AE-FLOODWAY
- D. AREA NOT INCLUDED
- VE
- VE-FLOODWAY
- X
- X PROTECTED BY LEVEE
- X AREA OF SPECIAL CONSIDERATION

* See your community flood plain administrator for more information.

** See your Flood Insurance Study(FIS) Text or FIRM Panel to determine the BFE Vertical Datum.

Property	Value
Longitude/Latitude	-89.956871 / 29.932006
Preliminary Flood Hazard Zone	0.2 PCT ANNUAL CHANCE FLOOD HAZARD
Preliminary Base Flood Elevation*	
Base Flood Elevation Datum**	
Firm Panel (Date)	22087C0487D (11/9/12)

Risk Level

Flood Hazard Zone

High Flood Risk

AE, A, AH, AO, VE, V Zone. These properties have a one percent chance of flooding in any year — and a 26 percent chance of flooding over the life of a 30-year mortgage.

Insurance note: High-risk areas are called "special flood hazard areas" and flood insurance is mandatory for most mortgage holders. See your local insurance agent or visit floodsmart.gov for more information.

Low or Moderate Flood Risk

Shaded X Zone. These properties are outside the high-risk zones. The risk is reduced but not removed. Examples include X Protected by Levee and X Areas of Special Consideration.

Unshaded X Zone. These properties are in an area of overall lower risk.

Insurance note: Lower-cost preferred rate flood insurance policies (known as Preferred Risk Policies) are often an option in these areas. See your local insurance agent or visit floodsmart.gov for more information.

Disclaimer

While the floodplain data that is shown on the map is the same, this map is not an official FEMA Digital Flood Insurance Rate Map (DFIRM). This Interactive Mapping Tool is not intended for insurance rating purposes and is for information only. The positional accuracy may be compromised in some areas. The map is not 100% accurate in locating your address. Please contact your local floodplain administrator for more information or to view an official copy of the Flood Insurance Rate Maps.

Generated on February 4, 2013, 8:20 am US Central Time



Water Treatment Plant/Clearwell Pump Station

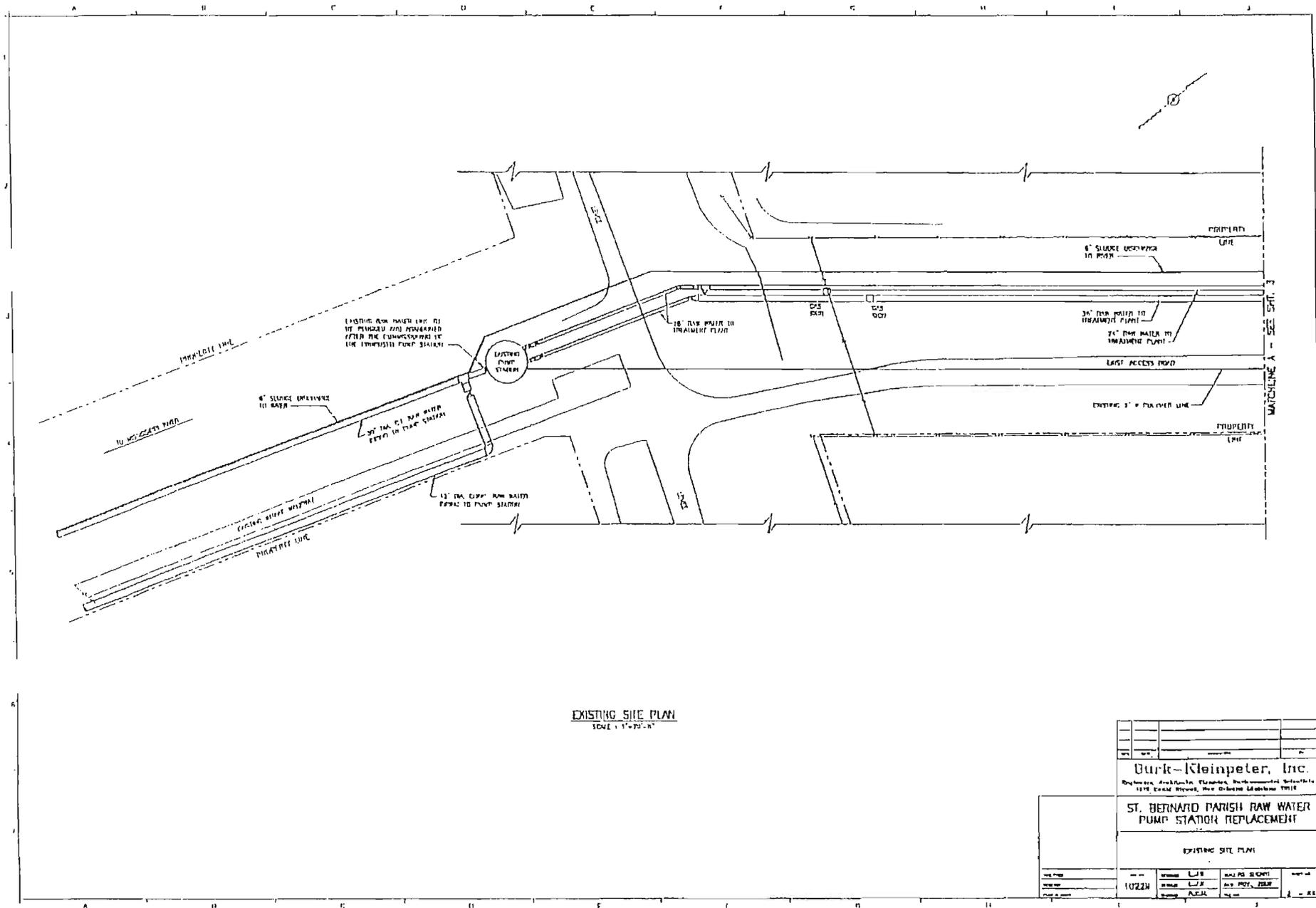
Raw Water Intake Pump Station

©2010 Google

© 2011 Google

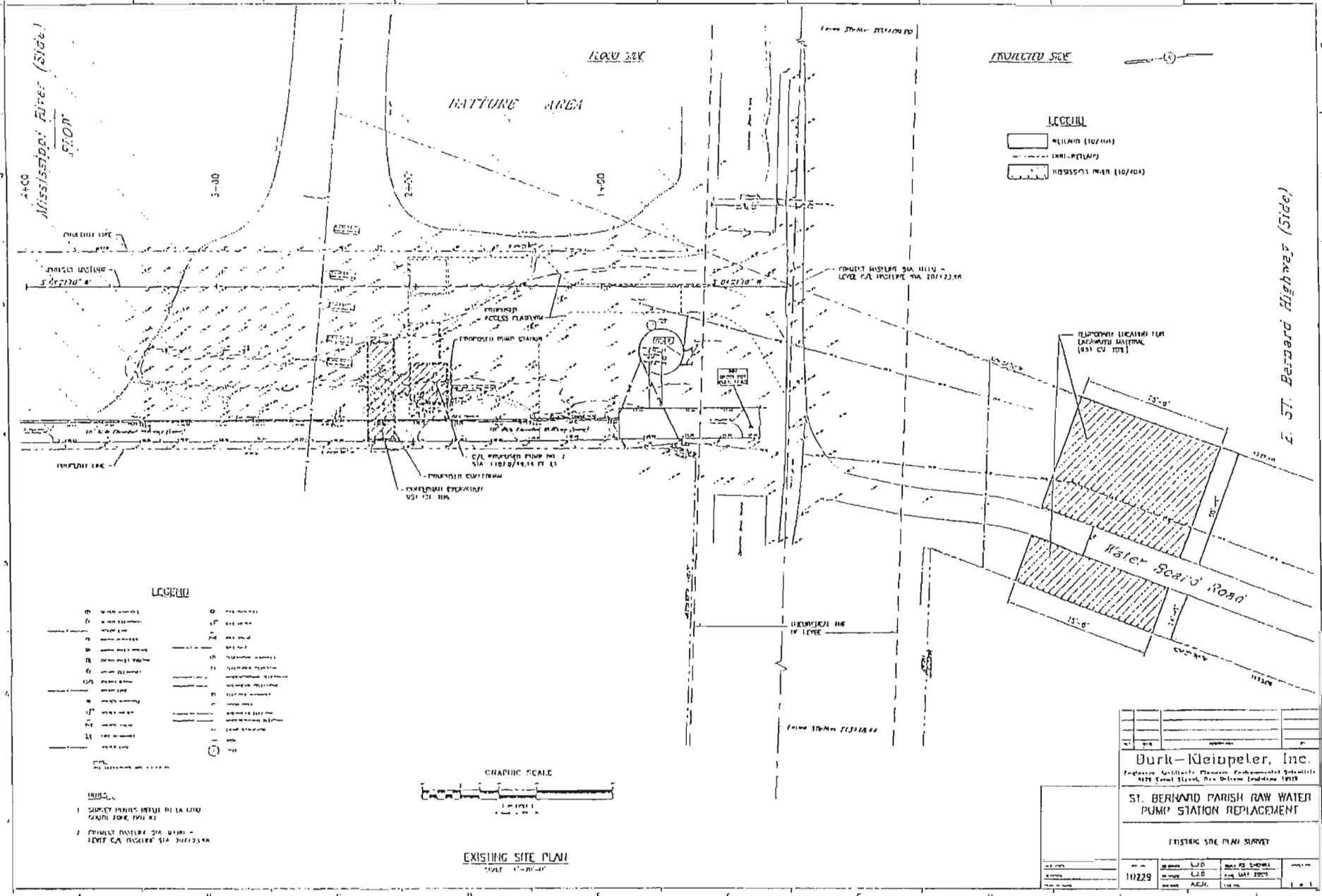
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©2011 Google



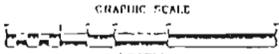
EXISTING SITE PLAN
SCALE: 1"=25'-0"

<p>Burk-Kleinpeter, Inc. Engineers, Architects, Planners, Environmental Scientists 1117 Canal Street, New Orleans, Louisiana 70112</p>			
<p>ST. BERNARD PARISH RAW WATER PUMP STATION REPLACEMENT</p>			
<p>EXISTING SITE PLAN</p>			
DATE	BY	CHECKED BY	DATE
10/22/04	ELJ	ELJ	10/22/04
PROJECT	SCALE	DATE	BY



LEGEND

1	PROPOSED CONCRETE	1	PROPOSED PUMP STATION
2	PROPOSED ACCESS PLATFORM	2	PROPOSED PUMP STATION
3	PROPOSED CONCRETE	3	PROPOSED PUMP STATION
4	PROPOSED CONCRETE	4	PROPOSED PUMP STATION
5	PROPOSED CONCRETE	5	PROPOSED PUMP STATION
6	PROPOSED CONCRETE	6	PROPOSED PUMP STATION
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25	PROPOSED CONCRETE	25	PROPOSED PUMP STATION



EXISTING SITE PLAN
SCALE: 1"=20'-0"

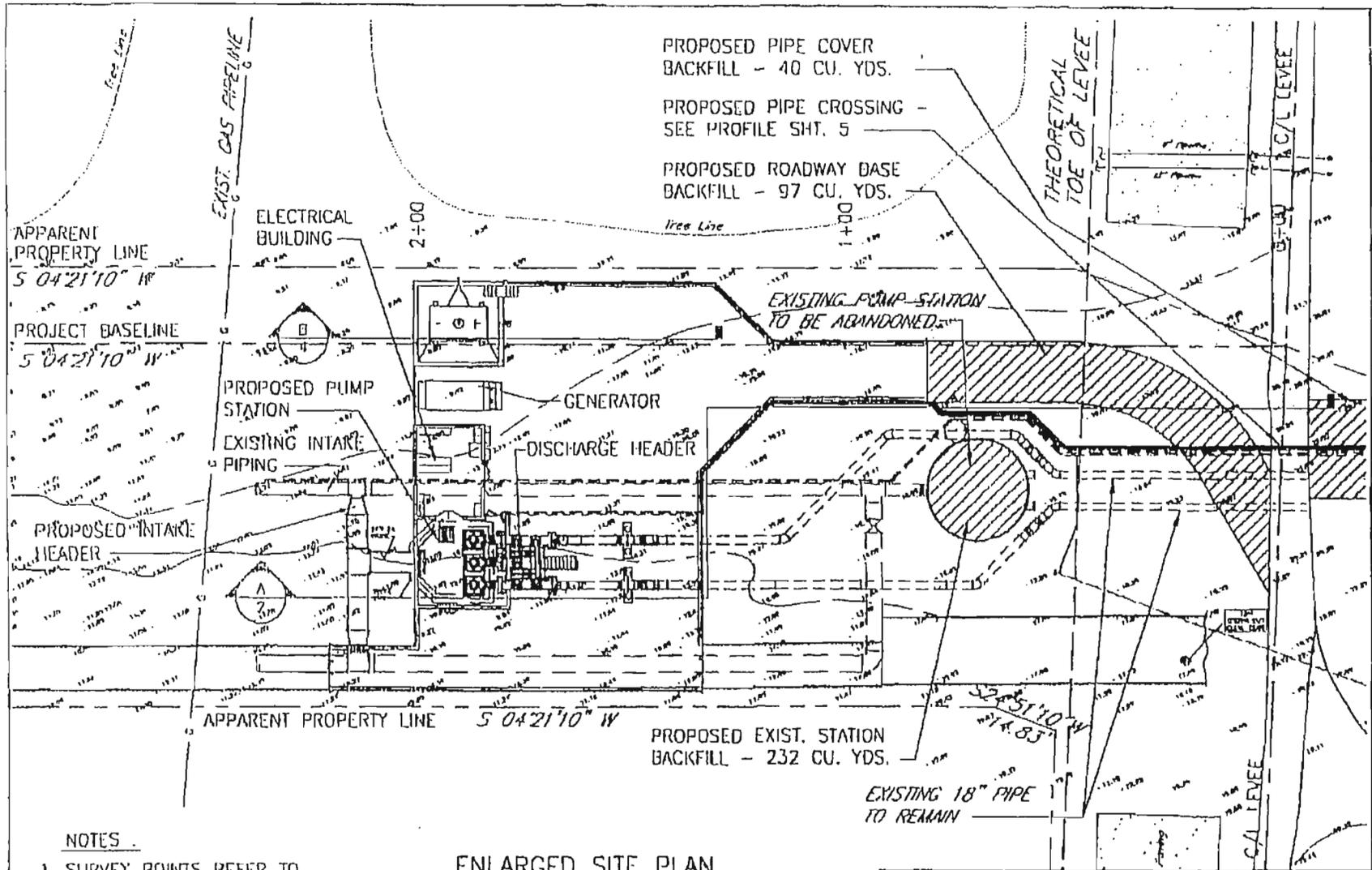
Burk-Klempeler, Inc.
Engineers, Architects, Planners, Environmental Scientists
4329 Canal Street, New Orleans, Louisiana 70119

ST. BERNARD PARISH RAW WATER PUMP STATION REPLACEMENT

EXISTING SITE PLAN SURVEY

NO.	DATE	BY	CHKD.	APP.
10229	10/22/09	W.D.	W.D.	W.D.
		W.D.	W.D.	W.D.
		W.D.	W.D.	W.D.

1. SURVEY POINTS HEREIN ARE IN LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.
2. POINTS HEREIN ARE IN LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.



NOTES

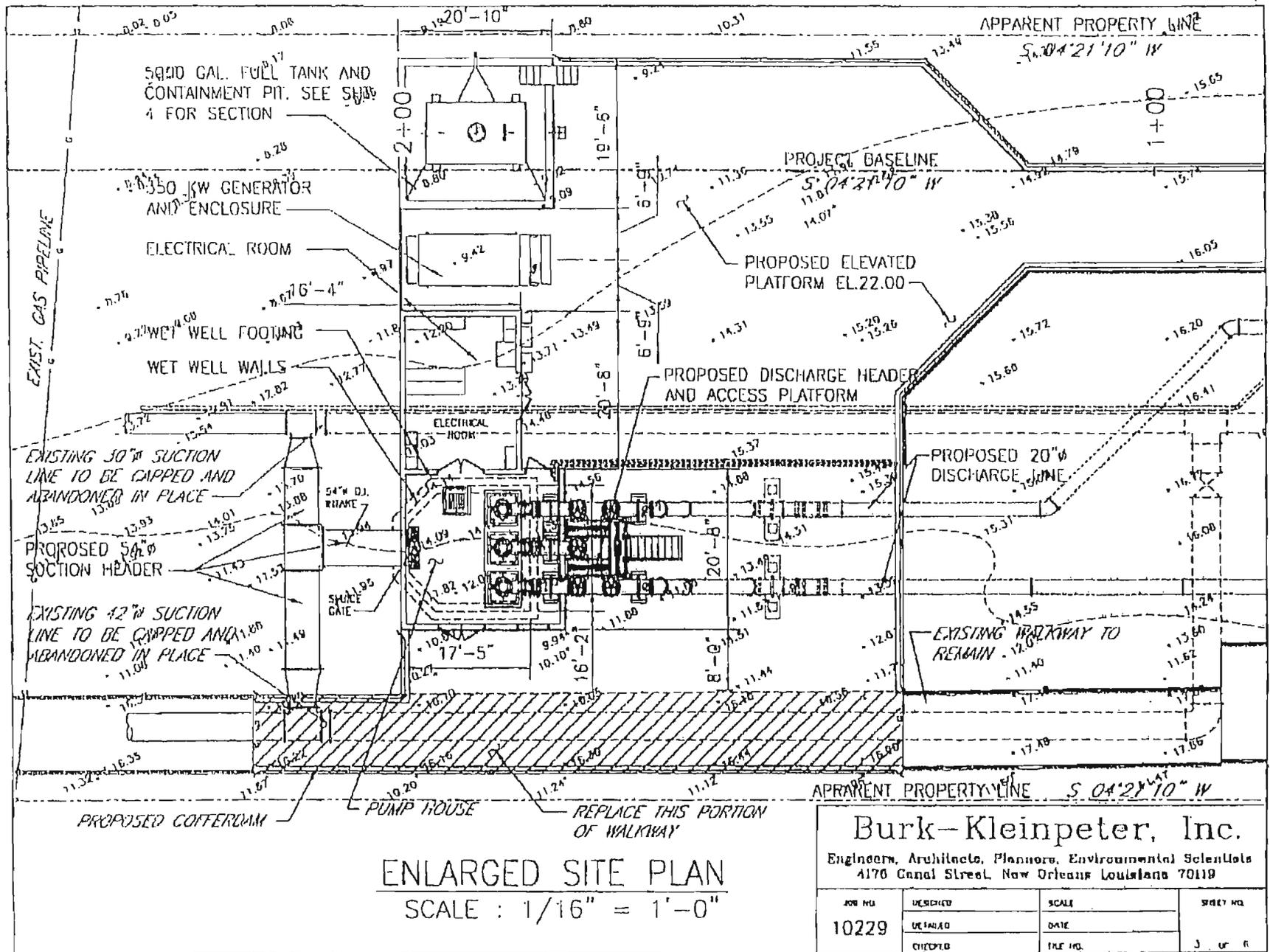
1. SURVEY POINTS REFER TO LA GRID SOUTH ZONE NAD 83
2. PROJECT BASELINE STA. 0+00 =
LEVEE C/L BASELINE STA. 207+23.98

ENLARGED SITE PLAN

SCALE: 1" = 30'-0"

Burk-Kleinpeter, Inc.
 Engineers, Architects, Planners, Environmental Scientists
 4170 Canal Street, New Orleans Louisiana 70119

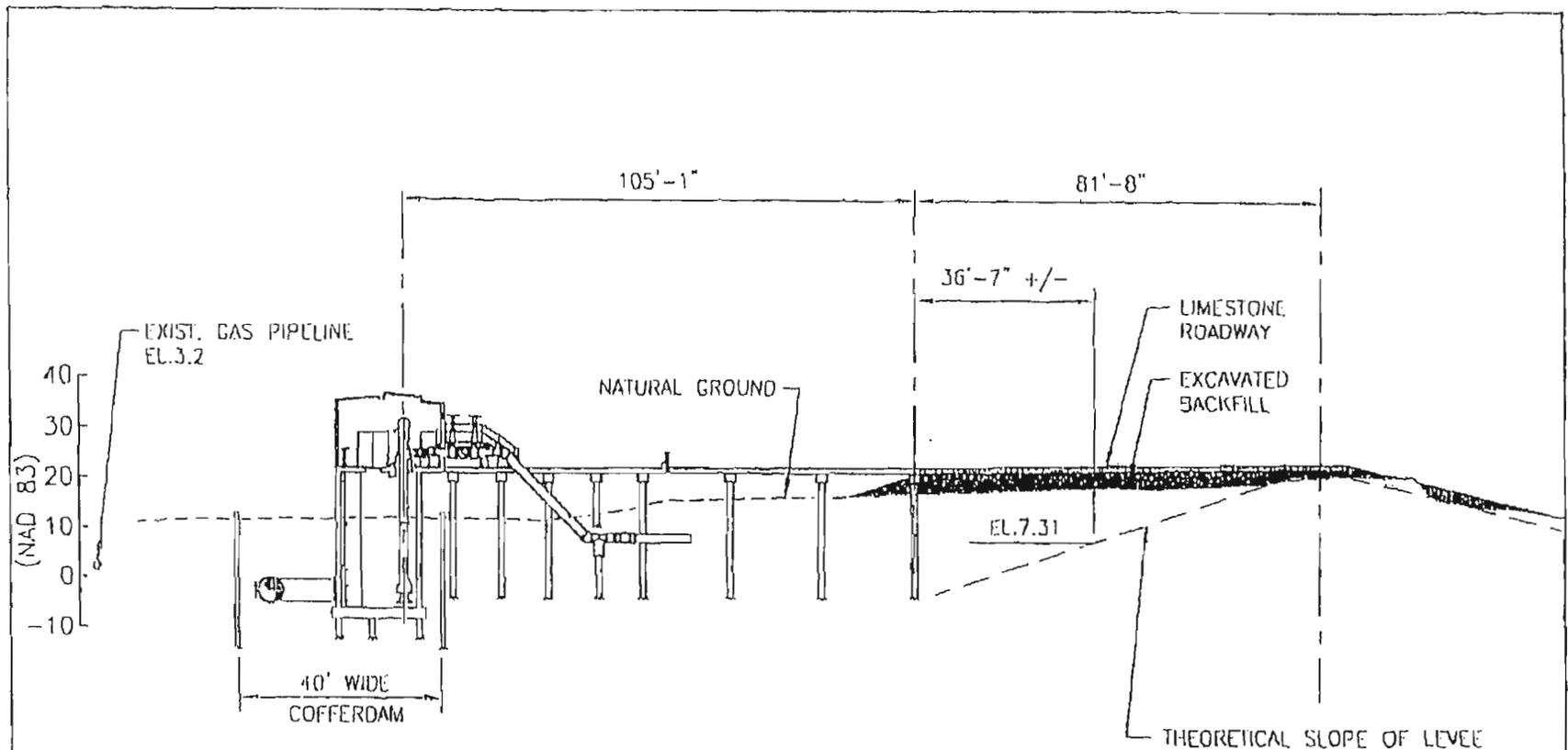
JOB NO. 10229	DESIGNED	SCALE	SHEET NO. 1 OF 6
	DRAWN	DATE	
	CHECKED	FILE NO.	



ENLARGED SITE PLAN
 SCALE : 1/16" = 1'-0"

Burk-Kleinpeter, Inc.
 Engineers, Architects, Planners, Environmental Scientists
 4170 Canal Street, New Orleans, Louisiana 70119

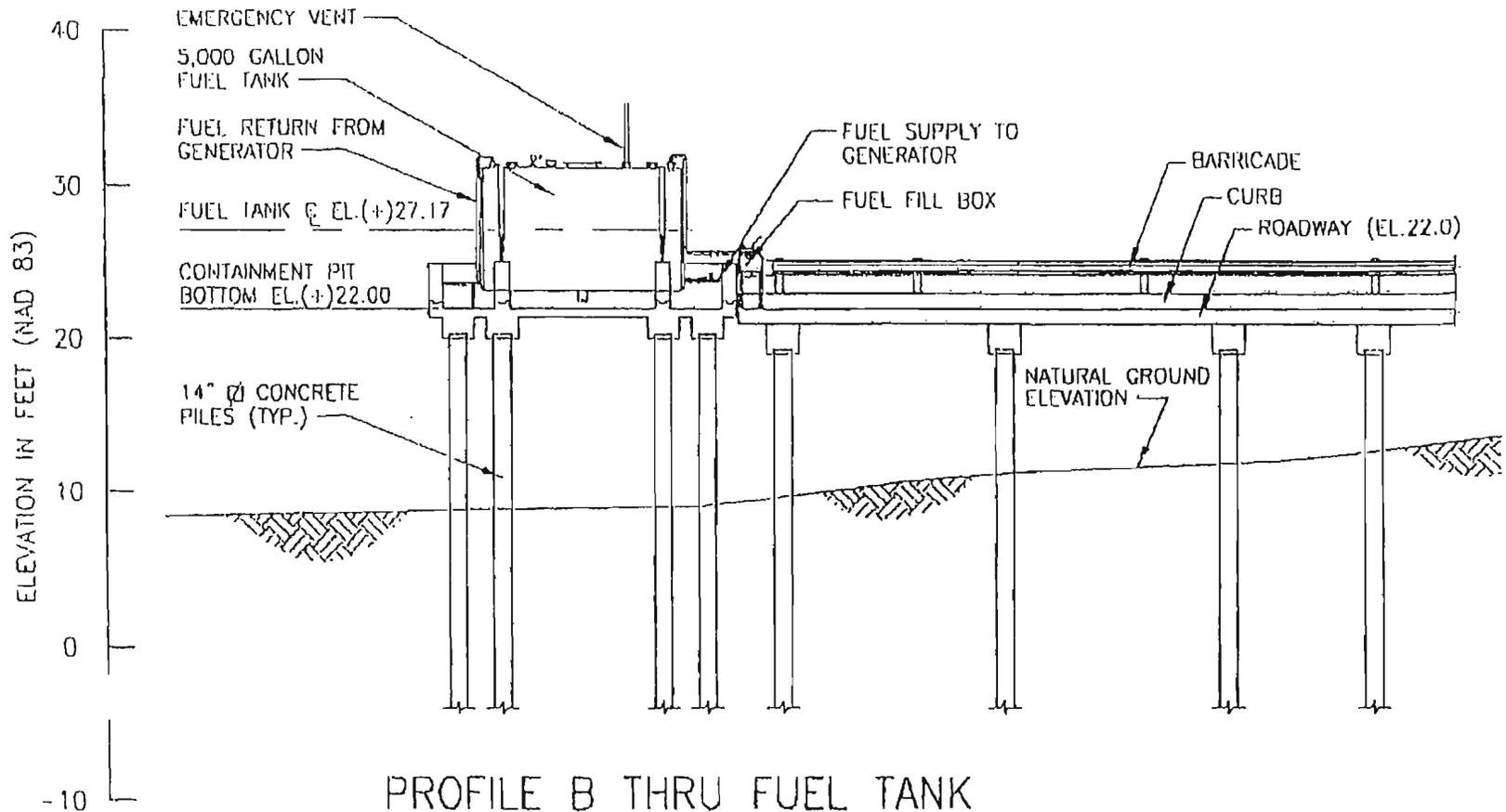
JOB NO. 10229	DESIGNED	SCALE	SHEET NO. 3 of 6
	DETAILED	DATE	
	CHECKED	FILE NO.	



PROFILE A THRU PUMP STATION AND
 PROPOSED ROADWAY
 SCALE: 1" = 40'-0"

Burk-Kleinpeter, Inc.
 Engineers, Architects, Planners, Environmental Scientists
 4370 Canal Street, New Orleans, Louisiana 70119

JOB NO. 10229	DESIGNED	SCALE	SHEET NO. 2 of 6
	DRAWN	DATE	
	CHECKED	FILE NO.	



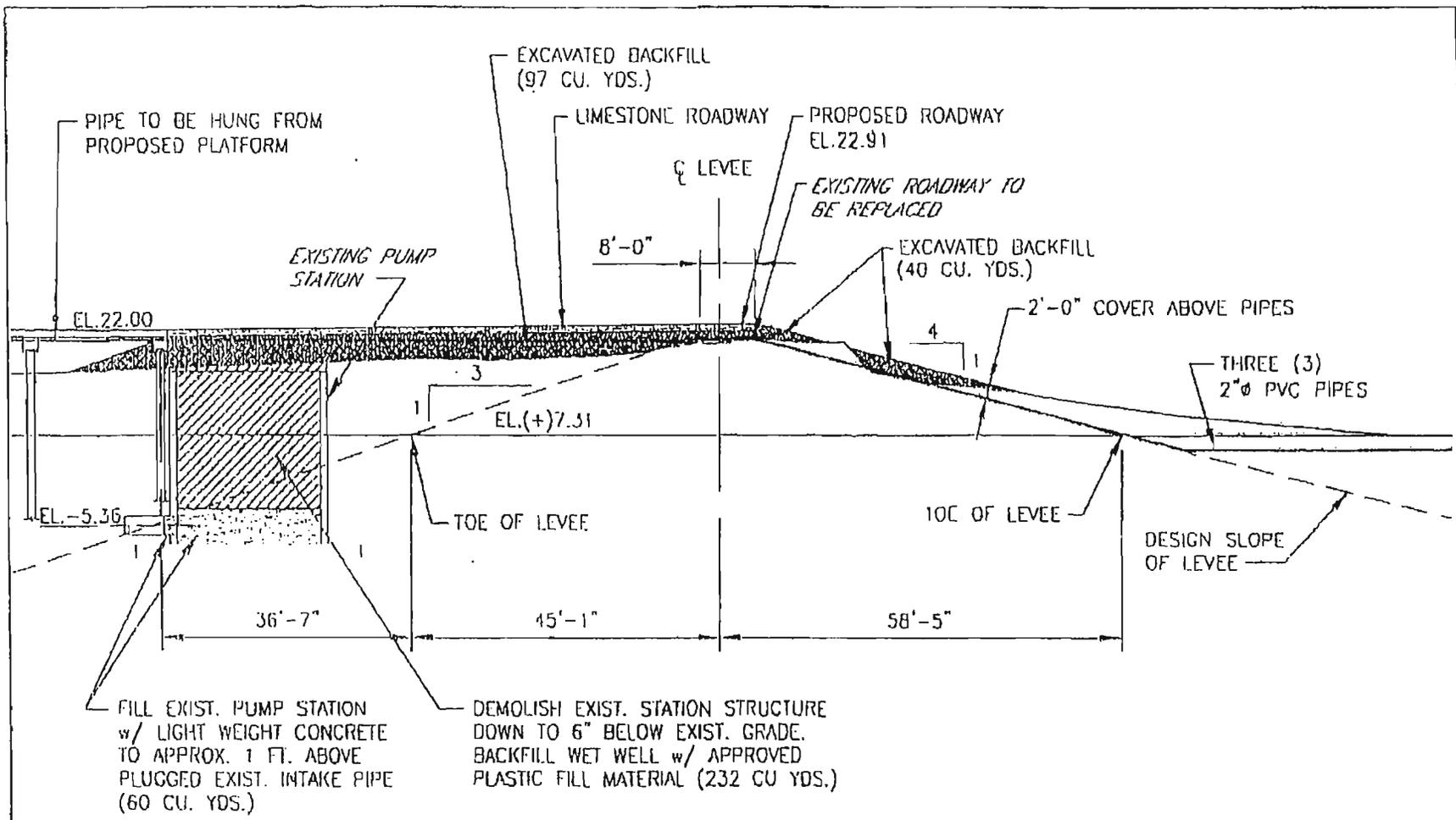
**PROFILE B THRU FUEL TANK
AND PROPOSED ROADWAY**

SCALE: 1" = 10'-0"

Burk-Kleinpeter, Inc.

Engineers, Architects, Planners, Environmental Scientists
4170 Canal Street, New Orleans Louisiana 70119

JOB NO. 10229	DESIGNED	SCALE	SHEET NO. 4 OF 8
	DETAILED	DATE	
	CHECKED	FILE NO.	



PIPE CROSSING OF LEVEE

SCALE: 1" = 20'-0"

Burk-Kleinpeter, Inc.

Engineers, Architects, Planners, Environmental Scientists
4170 Canal Street, New Orleans, Louisiana 70119

JOB NO.	DRAWN	SCALE	SHEET NO.
10229	DATE		
	CHECKED	FILE NO.	5 of 0