

# Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- 2006

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** Jefferson Parish Third District Volunteer Fire Dept. #33, 051-U7H6Y-00

**Project Location:** 301 North Lester Ave., Metairie, Jefferson Parish, Latitude: 29.98021,  
Longitude: -90.21949

## **Project Description:**

On August 29, 2005, Hurricane Katrina made landfall in New Orleans causing high winds and flying debris that damaged the Third District Volunteer Fire Department, Station #33 in Jefferson Parish. These high winds caused damage to the building, to its roof, and to the 6' fence surrounding the property. The total area of the fire station is 3,870 sq ft (45'x86') and has a height of 22 feet. Included in this area are a three truck garage (2,520 sq ft), and a 2-story combined office/living space that occupy 1,350 sq ft on each floor (2,700 sq ft total). The length of the fence is 50 feet.

This project includes repairs that will restore the buildings to their pre-disaster condition. This work includes resetting the fence and repairing the gates, removing and replacing damaged exterior walls, trim, doors, gutters and downspouts, replacing insulation, and repainting damaged areas. The two mitigation items included in this proposal require adding anchor bolts to the fence and adding overhead bracing to some of the exterior doors.

This critical facility is currently being used as an active fire station and is the responsibility of the Third District Fire Department.

## **Documentation Requirements**

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

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

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

### **Comments:**

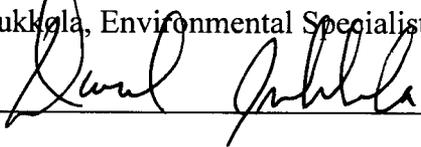
1) Project is consistent with the Programmatic Categorical Exclusion (PCE) for "Restoration And/Or Improvement of External Facility Systems and Components".

### Reviewer and Approvals

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

#### **FEMA Environmental Reviewer:**

Name: David Jukkola, Environmental Specialist, FEMA

Signature  Date 7/14/2006

#### **FEMA Regional Environmental Officer or Delegated Approving Official:**

Name: William Fagan, Environmental /Historic Specialist Chief of Staff

Signature  Date 7/14/2006

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

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

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

#### **HISTORIC BUILDINGS AND STRUCTURES**

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

#### **ARCHEOLOGICAL RESOURCES**

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

- Resolution of Adverse Effect completed. (MOA on file)  
Are project conditions required?  Yes (see Section V)  No  
**(Review Concluded)**

*Comments:*

This scope of work has been reviewed and meets the criteria in Appendix A, Programmatic Allowances, Items I-E, I-F, of FEMA's Programmatic Agreement (PA) dated December 3, 2004. In accordance with the PA, all ground disturbing activities being performed in previously disturbed or archeologically surveyed areas do not require Section 106 review. All work should be done in-kind to match existing materials and form. Any change to the approved scope of work will require resubmission for re-evaluation under Section 106.

Building is not 45 years or older, circa 2004, therefore this project, regarding repairs to Jefferson Parish District 3 Volunteer Fire Department, does not have the potential to cause effects on standing historic resources.

*Correspondence/Consultation/References*

Consultation with Chelsea Klein and Amber Martinez, FEMA Historic Preservation Specialists, 7/11/2006

**B. Endangered Species Act**

No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action.  
**(Review Concluded)**

Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.

No effect to species or designated critical habitat. (See comments for justification)

Are project conditions required?  Yes (see Section V)  No **(Review Concluded)**

May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) **(Review Concluded)**

Are project conditions required?  Yes (see Section V)  No **(Review Concluded)**

Likely to adversely affect species or designated critical habitat

Formal consultation concluded. (Biological Assessment and Biological Opinion on file)

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

*Comments:*

Project is located in an urban or previously developed area. Neither listed species or their habitat occur in or near this site, thus FEMA finds there will be no effect to threatened or endangered species.

*Consultation:*USFWS emergency consultation provisions determined in letters dated September 15, 2005.

**C. Coastal Barrier Resources Act**

Project is not on or connected to CBRA Unit or Otherwise Protected Area **(Review Concluded)**.

Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)

Proposed action an exception under Section 3505.a.6 **(Review Concluded)**

Proposed action not excepted under Section 3505.a.6.

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

*Comments*

Project is not within a CBRA zone.

*References:* Louisiana Coastal Barrier Resource System Maps referenced: *FIRM Panel/Number 22051C-0030E, dated 03/23/1995.*

**D. Clean Water Act**

Project would not affect any waters of the U.S. **(Review Concluded)**

Project would affect waters, including wetlands, of the U.S.

Project exempted as in kind replacement or other exemption. **(Review Concluded)**

Project requires Section 404/401/or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits.

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

*Comments:*

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

References: USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried on 7/11/2006.

### E. Coastal Zone Management Act

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

Comments: This project is located within the Louisiana Coastal Management Zone. LA DNR has determined that receipt of federal assistance is consistent with the Louisiana Coastal Resource Program. Projects within the coastal zone may still require a coastal use permit or other authorization from DNR. Projects may be coordinated by contacting the LA DNR at 1-800-276-4019.

References: LDNR Louisiana Coastal Zone map 2002.

### F. Fish and Wildlife Coordination Act

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

Comments:

No streams or water bodies are located in or near the project area.

Correspondence/Consultation/References:

Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) queried 7/11/2006.

### G. Clean Air Act

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

Comments:

The proposed project includes activities that would produce a minor, temporary, and localized impact on air quality from vehicle emissions and fugitive dust particles. No long-term air quality impact is anticipated.

Correspondence/Consultation/References:

Damage description and scope of work from the Project Worksheet

### H. Farmland Protection Policy Act

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

Comments:

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

Correspondence/Consultation/References:

National Resource Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/>) referenced 7/11/2006.

### I. Migratory Bird Treaty Act

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

*Comments:*

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

*Correspondence/Consultation/References:* USFWS guidance letter dated September 15, 2005.

### J. Magnuson-Stevens Fishery Conservation and Management Act

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

*Comments:*

1) Project is not located in or near any surface waters with the potential to affect EFH species.

*Correspondence/Consultation/References:*

Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) referenced 7/11/2006.

### K. Wild and Scenic Rivers Act

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

*Comments:*

*Correspondence/Consultation/References:* National Wild and Scenic Rivers <http://www.nps.gov/rivers/wildriverslist.html>. referenced 7/11/2006 .

### L. Other Relevant Laws and Environmental Regulations

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

## II. Compliance Review for Executive Orders

### **A. E.O. 11988 - Floodplains**

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

*Comments:* The site is located in Zone X.  
<http://store.msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>,  
click on Map search and enter lat/long for the site.  
*Correspondence/Consultation/References:* FEMA Flood Insurance Rate Map, Community Panel No. 22051C-0030E,  
revised 03/23/1995.

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

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

*Comments:*  
No wetlands were observed during site visit or determined to be present by checking the USFWS National Wetlands Inventory (NWI) maps.  
*Correspondence/Consultation/References:*  
USFWS NWI map accessed on-line (<http://wetlandsfws.er.usgs.gov/wtlnds/launch.html>) 7/11/2006.

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

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

*Comments:*  
The percent populations of 70003 are: 75.1% White, 12.3% African American and 3.6% Asian. The median household income in 1999 was \$ 44,082 and 8.1 % of families are below poverty level.  
*Correspondence/Consultation/References:*  
U.S. Census bureau 2000 data (<http://factfinder.census.gov>) referenced 7/11/2006.

## III. Other Environmental Issues

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

*Comments:*  
Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project applicant shall handle, manage, and dispose

of petroleum products, hazardous materials and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

#### **IV. Extraordinary Circumstances**

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

\* A "Yes" under any circumstance may require an Environmental Assessment (EA) with the exception of (ii) which should be applied in conjunction with controversy on an environmental issue. If the circumstance can be mitigated, please explain in comments. If no, leave blank.

**Yes**

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

#### **V. Environmental Review Project Conditions**

**This project must comply with all conditions of the attached Programmatic Categorical Exclusion. In addition, the following conditions apply as a condition of FEMA funding reimbursement:**

- This site is located in the floodplain and must accordingly comply with the minimum requirements of the National Flood Insurance Program as outlined in 44 CFR Part 60. Coordination must be done with the parish floodplain administrator to ensure compliance with the NFIP as administered in the local floodplain ordinance, which may be more stringent than the NFIP's minimum requirements, including issuance of appropriate permitting.
- Per 44CFR9.11(d)(8), particularly if this facility is a critical use (fire/medical/EOC), applicant must implement public safety minimization standards. Existing flood warning, and preparedness, evacuation plans should be amended in consideration of the proposed action to minimize the effect of floods on human health, safety and welfare, as appropriate. This includes giving special consideration to unique hazard potential such as rapid-rise from a future flash flood.