

Record of Environmental Consideration

See 44 Code of Federal Regulation Part 10.

Project Name/Number: Parish Wide Supervisory Control and Data Acquisition System (SCADA)

Project Location: Various locations (21 sites) throughout Plaquemines Parish (see Project Worksheet for coordinates)

Project Description: Repair to the Supervisory Control and Data Acquisition System (SCADA) at 21 lift stations. This project includes a hazard mitigation proposal to elevate the SCADA control panels above the ABFE or to the second floor of some lift stations.

Documentation Requirements

- No Documentation Required **(Review Concluded)**
- (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.

National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review. **(Review Concluded)**
- Programmatic Categorical Exclusion - Category xv and xvi (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: This project meets the criteria for an Alternate Arrangement Utilities and Waste Water Treatment Plants type of project.

Reviewer and Approvals

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

FEMA Environmental Reviewer.

Name: Nicole Poret

Signature _____ Date _____

FEMA Regional Environmental Officer or delegated approving official.

Name: William Fagan

Signature _____ Date _____

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

A. National Historic Preservation Act

- Not type of activity with potential to affect historic properties. **(Review Concluded)**
- Applicable executed Programmatic Agreement December 3, 2004 Otherwise, conduct standard Section 106 review.
 - Activity meets Programmatic Allowance # I-J
 - Are project conditions required? Yes (see section V) No **(Review Concluded)**

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, Item I-J, FEMA's Programmatic Agreement (PA) dated December 3, 2004. No known archaeological sites or historic properties will be affected by this undertaking. In accordance with the PA FEMA is not required to determine the National Register eligibility of properties where work performed meets the Appendix A criteria. Section 106 review is completed.

Correspondence/Consultation/References: Chelsea Klein, Historic Preservation Specialist

B. Endangered Species Act

[X] 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:

Correspondence/Consultation/References: Endangered Species Summary for USFWS consultation; letter to Don Fairley dated September 15, 2005.

C. Coastal Barrier Resources Act

[X] 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:

Correspondence/Consultation/References: FIRM PanelNumbers: 220139-0465C, 220139-0690D, 220139-0655C, 220139-0660C, 220139-0445C dated 09/30/199 and 220139-0885C, 220139-0910C dated 09/28/1990; 2201390060B dated 05/01/1985; 2201390435B dated 05/01/1985.

D. Clean Water Act

[X] 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:

Correspondence/Consultation/References: Damage description and scope of work from the Project Worksheet.

E. Coastal Zone Management Act

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

[X] 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 (all 21 lift stations) is located within the Louisiana Coastal Management Zone. The Louisiana Department of Natural Resources 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 (CUP) or other authorization from DNR. Projects may be coordinated by contacting LDNR at 1-800-267-4019. Correspondence/Consultation/References: FIRM PanelNumbers: 220139-0465C, 220139-0690D, 220139-0655C, 220139-0660C, 220139-0445C dated 09/30/199 and 220139-0885C, 220139-0910C dated 09/28/1990; 2201390060B dated 05/01/1985; 2201390435B dated 05/01/1985.

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:
Correspondence/Consultation/References: Damage description and scope of work from the Project Worksheet.

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:
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: Project sites are in developed areas.
Correspondence/Consultation/References: <http://websoilsurvey.nrcs.usda.gov/app/>

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:

Correspondence/Consultation/References: http://library.fws.gov/Pubs/Mississippi_Flywaymap.pdf

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:

Correspondence/Consultation/References: <http://www.nmfs.noaa.gov/habitat/habitatprotection/efh/>

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: Damage description and scope of work from the Project Worksheet, <http://www.lamap.doa.louisiana.gov/>

L. Other Relevant Laws and Environmental Regulations

Identify relevant law or regulations, resolution and any consultation/references

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 parish of Plaquemines is enrolled in the National Flood Insurance Program (NFIP) as of 05/01/1985. Per Flood Insurance Rate Map (FIRM) panel numbers: 220139-0465C, 220139-0690D, 220139-0655C, 220139-0660C, 220139-0445C dated 09/30/1993 and 220139-0885C, 220139-0910C dated 09/28/1990, project for lift stations 16, 17, 20, 24, 34, 41, 52, Buras Waste Water Treatment Plant, Homeplace Water Tower, Buras Watertower, Boothville Water Tower, Empire Booster Station, Diamond Booster Station, and Boothville Waster Water Treatment Plant is located within an A99 Zone, area of 100-year flood to be protected by flood protection system under construction, base flood elevations and flood hazard factors not determined. Per FIRM panel numbers 220139-0465C and 220139-0655C dated 09/30/1993, project for lift station 15, 19 and Port Sulphur Waste Water Treatment Plant is located within an A2 Zone. Per FIRM panel number 220139-0060B dated 05/01/1985 project for Dalcour Water Tower and Dalcour water Treatment plant is located within an A11 Zone. Per FIRM panel number 2201390435B dated 05/01/1985 project for Port Sulphur Water Treatment Plant is located within an A14 Zone. Areas are all of 100-year flooding, base flood elevation and flood hazard factors as determined. Project is for the replacement of the SCADA system. As per 44 CFR 9.11, mitigation or minimization standards must be applied, where possible, building contents, materials, and equipment (mechanical or electrical) must be elevated to or above Advisory Base Flood Elevation (ABFE). Per flood insurance rate map (FIRM) panel number 2201390435b, dated 05/01/85, project for Point a la Hache water treatment plant is located in zone "b", area between limits of 100-yr flood and 500-yr flood or in certain areas subject to flooding with average depths less than one foot or where the contributing drainage area is less than one square mile; or in area protected from the 100-yr flood by levee, dike or other structure subject to failure or overtopping during larger floods. Project is for the replacement of the SCADA system which per flood recovery guidance, dated 04/12/2006, all equipment and contents should be elevated at least 3 ft. above the highest grade elevation. Hazard mitigation proposal is attached.

Correspondence/Consultation/References: Jamie Schexnayder, FPM Specialist

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:

Correspondence/Consultation/References: <http://wwwlamap.doa.louisiana.gov/>

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: 69.8% Caucasian, 23.4% African American, 1.6% Hispanic, 18.0% Individuals below poverty level. Project repairs will benefit all populations in Plaquemines Parish.

Correspondence/Consultation/References: <http://factfinder.census.gov/home/saff/main.html>

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:

Correspondence/Consultation/References:

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

General comments:

Project Conditions:

1) *This project (all 21 lift stations) is located within the Louisiana Coastal Management Zone. The Louisiana Department of Natural Resources 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 (CUP) or other authorization from DNR. Projects may be coordinated by contacting LDNR at 1-800-267-4019.*

2) *Areas in 100-year flooding, base flood elevation and flood hazard factors as determined. As per 44 CFR 9.11, mitigation or minimization standards must be applied, where possible, building contents, materials, and equipment (mechanical or electrical) must be elevated to or above Advisory Base Flood Elevation (ABFE). For areas in Zone "b", area between limits of 100-yr flood and 500-yr flood or in certain areas subject to flooding with average depths less than one foot or where the contributing drainage area is less than one square mile; or in area protected from the 100-yr flood by levee, dike or other structure subject to failure or overtopping during larger floods, per flood recovery guidance, dated 04/12/2006, all equipment and contents should be elevated at least 3 ft. above the highest grade elevation.*