

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- 2006

See 44 Code of Federal Regulation Part 10

Project Name/Number: Sewer System / PW#6222
FIPS#103-70805-00

Project Location: City of Slidell, St. Tammany Parish, LA
Latitude: 30.2653, Longitude: -89.7697

Project Description: Heavy rains and high winds from Hurricane Katrina (DR-1603) caused significant damage to the city of Slidell's sewer system. This pw reimburses the eligible applicant for the repair of 39 wet well sumps damaged by influx of sediment and debris via removal and disposal of these constituents in an approved manner. The applicant will also remediate 11,100 L.F. of gravity sewer mains by removal/flushing of sediment and debris. The replacement of 31 motor control cabinets (mcc's) along with electrical service components is also associated with this project. A hazard mitigation proposal is also included within this project. The proposal involves the elevation of electrical service components consisting of meter and service disconnect with breakers as well as motor control cabinets (MCC's) at each sump pump. Material and labor costs are based on raising the components indicated an average of four feet. Further mitigation can protect the MCC's from voltage spikes by installing protection in the form of a Transient Voltage Surge Suppressor (TVSS). A method to allow quick connection of portable emergency generators is proposed. All work will be performed in a previously disturbed area with no effects identified on any nearby waterways or other bodies of water.

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: Although this project would have qualified as a catex (xv & xvi) under 44 CFR part 10.8 (d)(2), this project meets the definition of critical infrastructure (Public Utilities) under the alternative arrangements for NEPA compliance. This project has conditions and requires mitigation under the other Environmental and Historic Preservation (EHP) laws which are listed under the NEPA level of environmental review in the project worksheet. Any changes to this approved scope of work will require submission to, and evaluation and approval by, the state and FEMA prior to initiation of any work, for compliance with the National Environmental Policy Act. The applicant is required to obtain and comply with all local, state and federal permits and requirements. Non-compliance with the requirements noted above may jeopardize the receipt of federal funding.

Reviewer and Approvals

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

FEMA Environmental Reviewer:

Name: Adam Borden, FEMA- Environmental Specialist

Signature Adam Borden Date 9-7-06

FEMA Regional Environmental Officer or Delegated Approving Official:

Name: Howard R. Bush, Environmental Liason Officer

Signature HR Bush Date 9.7.06

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:
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: Per NEMIS Special Considerations, project is repair/cleaning of sewer system that is less than 45 years old. No NHPA concerns identified.

Correspondence/Consultation/References:

B. Endangered Species Act

☒ No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action.

(Review Concluded)

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

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

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

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

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

☐ Likely to adversely affect species or designated critical habitat

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

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

Comments: Project is located in an urban or previously developed area. Neither listed species nor their habitat occur in or near this site, thus FEMA finds there will be no effect to threatened or endangered species.

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

C. Coastal Barrier Resources Act

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

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

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

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

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

Comments: Project is not within a CBRA zone.

Correspondence/Consultation/References: Louisiana Coastal Barrier Resource System Maps referenced 09/706.

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: Should any in water work be conducted the applicant shall be responsible for complying with Sections 401 and 404 of the Clean Water Act (CWA). The applicant shall coordinate with or obtain any required permits or certifications from the state and U.S. Army Corps of Engineers (USACE) prior to initiating work. The repair of the city of Slidell sewer system to pre-disaster conditions appears to fall under USACE nationwide permit (NWP) #3 - Maintenance; however, the applicant is responsible to consult with USACE for verification. The applicant shall comply with all conditions of the required permits. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.

Correspondence/Consultation/References: USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried on 09/7/06.

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 Department of Natural Resources (DNR) has determined that receipt of federal assistance is consistent with the Louisiana Coastal Resource Program. Projects within the coastal zone may still require a coastal use permit or other authorization from DNR. Projects may be coordinated by contacting LA DNR at 1-800-276-4019.

Correspondence/Consultation/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 effect identified within streams or water-bodies.

Correspondence/Consultation/References: Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) queried 09/7/06.

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. No long-term air quality impact is anticipated.

Correspondence/Consultation/References: EPA Region 6 Non-attainment Map.

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 Farmland Protection Policy Act (FPPA) is precluded. No prime or unique farmland present.

Correspondence/Consultation/References: National Resource Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/>) referenced 09/7/06.

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 for Katrina

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: No effects identified on any surface waters with the potential to affect EFH species.

Correspondence/Consultation/References: Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) referenced 09/7/06.

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: None

Correspondence/Consultation/References: National Wild and Scenic Rivers <http://www.nps.gov/rivers/wildriverslist.html>. referenced 09/7/06 .

L. Other Relevant Laws and Environmental Regulations

State Hazardous Materials and Solid Waste Laws

Comments: Removal and disposal of debris containing household hazardous waste and certain categories of liquid wastes must be performed in accordance with all applicable federal and state laws, regulations, executive orders and guidelines. LAC title 33 part VII requires that specified items, including lead acid batteries, used oil filters, used motor oil, scrap tires, cfc's (refrigerants), radioactive waste or regulated infectious wastes must be segregated from and excluded from non-hazardous debris collection, staging, processing and disposal sites. Failure to comply with applicable legal requirements in debris collection and/or disposal operations will jeopardize federal funding. The clean-up or restoration/repair of sites damaged as a result of such operations are ineligible for federal funding. Previously obligated funding is subject to de-obligation if a determination of ineligibility is made.

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>,

The parish of St. Tammany enrolled in the National Flood Insurance Program 04/23/71. Per Flood Insurance Rate Map 225205 0535D, dated 04/02/91, sites 35 & 39 are located in zone "A8(9)", area of 100-yr flood, base flood elevations and flood hazard factors determined. Site 29 is located in a zone "A5((9)" on same panel. Per Flood Insurance Rate Map 225205 0420 E, dated 04/02/91, site 5 is located in a zone "A2(12)", area of 100-yr flood, base flood elevations and flood hazard factors determined. Site 7 is located in a zone "C)" on same panel. Per Flood Insurance Rate Map 220204 0010C, dated 04/02/91, sites 1-4, 6, 8-27, 30-34, 36-38, and 40 are located in zone "AE(9)", area of 100-yr flood, base flood elevations and flood hazard factors determined. Sites 45 and 56 are located in a zone "X" on the same panel. Per Flood Insurance Rate Map panel 225209 0440 D, dated 4/2/91, sites 44, 55 are located in a zone "C". Sites 28, 41-43, 46-54 were not damaged. Project is repair of sewer system pumps and equipment and cleaning sewer lines. In compliance with 44 CFR 9.11, to elevate, mitigate, wet or dry flood proof, mitigation measures have been considered and are attached. Project is functionally dependent upon its location and cannot be relocated. PRohne, CFM

Correspondence/Consultation/References: FEMA Flood Insurance Rate Map, Community Panel No. # 225205 0535D, dated 04/02/91, 225205 0420 E, dated 04/02/91, 220204 0010C, dated 04/02/91, and 225209 0440 D, dated 4/2/91.

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 effects identified on nearby wetlands associated with several well sites.

Correspondence/Consultation/References: USFWS NWI map accessed on-line

(<http://wetlandsfws.er.usgs.gov/wtlnds/launch.html>) 09/7/06.

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: No Environmental Justice issues identified with this project.

Correspondence/Consultation/References: U.S. Census bureau 2000 data at <http://factfinder.census.gov>, referenced 09/7/06.

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).

State Hazardous Materials and Solid Waste Laws

Comments: Removal and disposal of debris containing household hazardous waste and certain categories of liquid wastes must be performed in accordance with all applicable federal and state laws, regulations, executive orders and guidelines. LAC title 33 part VII requires that specified items, including lead acid batteries, used oil filters, used motor oil, scrap tires, cfc's (refrigerants), radioactive waste or regulated infectious wastes must be segregated from and excluded from non-hazardous debris collection, staging, processing and disposal sites. Failure to comply with applicable legal requirements in debris collection and/or disposal operations will jeopardize federal funding. The clean-up or restoration/repair of sites damaged as a result of such operations are ineligible for federal funding. Previously obligated funding is subject to de-obligation if a determination of ineligibility is made.

Correspondence/Consultation/Reference:

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.

Comments: None

V. Environmental Review Project Conditions

Project Conditions:

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

- Removal and disposal of debris containing household hazardous waste and certain categories of liquid wastes must be performed in accordance with all applicable federal and state laws, regulations, executive orders and guidelines. LAC title 33 part VII requires that specified items, including lead acid batteries, used oil filters, used motor oil, scrap tires, cfc's (refrigerants), radioactive waste or regulated infectious wastes must be segregated from and excluded from non-hazardous debris collection, staging, processing and disposal sites. Failure to comply with applicable legal requirements in debris collection and/or disposal operations will jeopardize federal funding. The clean-up or restoration/repair of sites damaged as a result of such operations are ineligible for federal funding. Previously obligated funding is subject to de-obligation if a determination of ineligibility is made.
- Should any in water work be conducted the applicant shall be responsible for complying with Sections 401 and 404 of the Clean Water Act (CWA). The applicant shall coordinate with or obtain any required permits or certifications from the state and U.S. Army Corps of Engineers (USACE) prior to initiating work. The repair of the city of Slidell sewer system to pre-disaster conditions appears to fall under USACE nationwide permit (NWP) #3 - Maintenance; however, the applicant is responsible to consult with USACE for verification. The applicant shall comply with all conditions of the required permits. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.