



CONNECTICUT DISASTER 4213 FEDERAL EMERGENCY MANAGEMENT AGENCY ENVIRONMENTAL CONSIDERATIONS GREENSHEET



Environmental and Historic Preservation and Disaster Recovery

As you repair and rebuild your community please recognize that federally-funded projects must comply with all environmental and historic preservation laws and regulations.

This brochure provides an overview of environmental and historic preservation laws that you must consider as you apply for FEMA funding.

We are available to help you achieve compliance with all environmental and historic preservation requirements!

A list of contacts is provided on the last page of this brochure.

As you identify potential environmental and historic preservation concerns or problems, we strongly encourage you to discuss them with FEMA's Public Assistance and Environmental staff as soon as possible.

We work under the direction of FEMA's Federal Coordinating Officer, Albie Lewis, and in close coordination with the Connecticut Division of Emergency Management and Homeland Security (DEMHS).

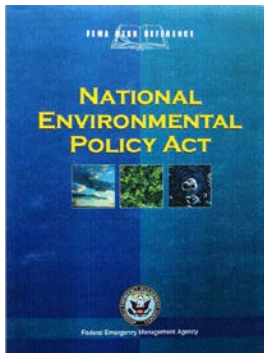
As the Regional Environmental Officer, I pledge to assist you in understanding and complying with all environmental and historic preservation requirements.



Peter Thomas is FEMA's Environmental Advisor for Connecticut. Please contact him or Jean McDonough, Public Assistance Branch Director, for any environmental or historic preservation assistance (see contact list).

Sincerely,

David Robbins
Regional Environmental Officer
david.robbs@fema.dhs.gov
Phone: 617-832-4755
Fax: 617-956-7574



Environmental Laws and Project Requirements

NEPA requires all federal agencies to insure that due consideration is given to the environment during project development. In addition to NEPA, listed below are the other primary environmental laws and executive orders that come into play when rebuilding or replacing a "public assistance" facility. Some activities can proceed without environmental or

historic review, others require some environmental consideration, and in some of the major projects, consultation with the State and FEMA is necessary before construction begins.

Failure to comply with applicable environmental and historic laws could jeopardize or delay potential funding.

Federal Laws

- Endangered Species Act
- National Historic Preservation Act
- Coastal Barrier Act
- Clean Water Act (especially Section 404)
- Executive Order for Wetlands Protection
- Executive Order for Floodplain Protection
- Executive Order for Environmental Justice

Some projects proceed without detailed review

- Emergency protective actions and debris removal
- Repairs to pre-disaster condition or temporary repairs (unless building or facility is 50 years or older)

Some projects require an environmental review

- Debris disposal and staging areas
- Involving historic properties (buildings, structures, sites, objects)
- Where the footprint is different than pre-disaster conditions
- Involving hazard mitigation
- Involving threatened or endangered species, wetlands or floodplains

Some projects require review and consultation

- Improved or alternate projects
- Other projects where the scope of work has changed



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Waterways, Including Culverts and Bridges

For **any** projects involving work in a waterway, including construction, bank stabilization, dredging or filling, the applicant **must** obtain and comply with applicable federal and state permits.

Sections 404 and 401 of the *Clean Water Act* apply to actions affecting waters of the United States, including any part of the surface water tributary system (smaller streams, lakes, ponds, and wetlands).

The U.S. Army Corps of Engineers (USACE) administers Section 404, while the Department of Energy and Environmental Protection (DEEP) oversees Section 401 and water quality certification.

DEEP also administers a number of State laws related to waterways. The Applicant should contact DEEP to obtain guidance on state permit requirements (pg. 4).

Many state-permitted actions are eligible under the USACE's *General Programmatic Permit* and do not require an individual USACE permit. However, work under a general permit may still require notifying USACE, good construction practices, and conforming to any specific conditions imposed by USACE.

To obtain guidance contact the U.S. Army Corps of Engineers Regulatory Office: New England District (pg. 4).



Obtaining permits, prior to construction, is the responsibility of the project applicant.

Floodplains

FEMA reviews all projects that take place in the **floodplain** as required by Executive Order 11988. For major projects, this could require the "8-Step" process, which looks at and evaluates alternatives and includes public review.

Projects in the floodplain require approvals and permits from the local floodplain administrator. Additional approvals and permits may be required by the DEEP or the USACE.

Some projects are exempt from floodplain review including debris removal and repairs or replacements when the cost is less than \$5,000.

Wetlands

As with floodplains, an "8-Step" process" may be required whenever a project would modify a wetland. Project approvals and permits are needed from the DEEP and the USACE.

Debris should never to be stored in a wetland, even temporarily. Debris removal from a wetland should be coordinated with the DEEP, the U.S. Army Corps of Engineers, and the U.S. Fish and Wildlife Service.

The DEEP is a good source for finding out the detailed requirements for work involving wetlands.

Another source for Wetland maps is the U.S. Fish and Wildlife Service National Wetlands Survey geospatial maps. You can access these maps at:

<http://www.fws.gov/wetlands/Data/Mapper.html>



Piping Plover

Threatened and Endangered Species

Projects that might affect endangered species must be coordinated, and impacts avoided, under the Endangered Species Act. An endangered species is a population of species which is at risk of becoming extinct because it is either few in numbers, or threatened by changing environmental or predation parameters. Many nations have laws offering protection to endangered species. Only a few of the many species at risk of extinction actually make it to the lists and obtain legal protection.

Given the nature of this disaster, much of the habitat for the states threatened or endangered species has been affected by debris and sand related to the storms. Please take special care for the management of debris in areas such as; wetlands, floodplains, beaches, and all other sensitive areas to these species. If you require assistance, please contact U.S. Fish and Wildlife Services or FEMA Environmental and Historic Preservation.

Connecticut has six counties that have endangered species: Fairfield, Hartford, Litchfield, Middlesex, New Haven, and New London Counties. For a full listing of Threatened and Endangered Species in Connecticut, consult the following link:

<http://www.fws.gov/northeast/endangered/>



Bog Turtle



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Historic Preservation and Tribal Relations

Some historic resources are very obvious, others less so. Any structure (e.g., buildings, walls, bridges, culverts) at least 50 years old, may be eligible for listing on the National Register of Historic Places.

Archaeological sites also require special consideration. Archaeological sites contain buried evidence of cultural activity of Native American presence and European settlement and activities. Any proposed project which may alter a previously undisturbed area (e.g., relocating a utility, road realignment, material borrow area for construction, or preparation of debris staging, stockpiling, burning or burial sites) may contain an unidentified archaeological site.

It is important to inform FEMA whenever a project may affect any structure more than 50 years old or a previously undisturbed area that could contain an archaeological site. FEMA may consult with the State Historic Preservation Officer (SHPO) and/or the Tribal Historic Preservation Officer (THPO) while working with the Applicant to develop measures to avoid adversely affecting the historic structure or site.



Debris Management and Hazardous Materials

The *State of Connecticut's Disaster Debris Management Plan (September 2008)*, provides guidance as to the proper management of various debris types, including vegetative debris. This link (below) includes access to Fact Sheets for municipalities, prepared by CT Department of Energy and Environmental Protection (DEEP).
See web link: www.ct.gov/deep/disasterdebrismanagement

No debris (no matter the type) should be open burned, unless there is no reasonable alternative available or unless it is being used for fuel. Any burning of vegetative debris will only be allowed in accordance with specific prior written approval from DEEP.

All debris containing hemlock wood that will be transported to Massachusetts, New York or Rhode Island must be treated and approved by Connecticut Agricultural Experiment Station.

Snow Removal

Due to the extraordinary snowfall from the snow storm, DEEP will provide cities and towns with some flexibility to dispose of snow in salt water and certain waterways if all options for upland storage or other disposal methods have been exhausted. Specific guidelines can be at
See web link: http://www.ct.gov/deep/cwp/view.asp?a=2721&q=325692&deepNav_GID=1654

NOTE

Applicants must complete the FEMA Debris and Snow Management Information Form. This form will be provided by your FEMA PA representative.

Currently, New Haven is under a quarantine for certain debris leaving county limits. Regulated articles include; the Emerald Ash Borer, Ash trees (in all forms) and firewood of all non-coniferous (hardwood). Special permits are necessary for these regulated articles to be allowed to be transported outside of New Haven County from within county borders. For more information see the following web links:

<http://www.ct.gov/caes>

or

<http://www.ct.gov/deep/EAB>

Other Considerations



Hazard mitigation projects reduce the threat of future damages. Retrofitting for wind damage or elevating for flood protection are examples. All hazard mitigation projects will be subject to a thorough review by FEMA as they usually involve ground disturbance or alter a project's footprint.



Projects involving **any ground disturbance** outside the previously disturbed footprint, even if within the right-of-way (including facility realignment, borrow areas, utility burial, utility pole replacement, access roads, etc.) may require archaeological review prior to construction.



Environmental Justice Executive Order 12898 strives to minimize negative health or environmental impacts on minority and low-income populations. Projects are examined to avoid these impacts. FEMA will not exclude any persons and populations from participating in benefits because of race, color, or national origin.



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CONTACTS

This publication presents an overview of the more common laws and requirements for environmental clearance of FEMA Public Assistance projects. There are many other details not discussed here that may prove useful during project planning. The FEMA staff in the Joint Field office is available to answer any questions you may have and to direct you to other resources that may be needed to ensure that all environmental considerations are addressed.

FEMA Joint Field Office (JFO)

15 Rye Street
Portsmouth, NH 03801
Phone: 603-433-8100

Peter A. Thomas
Environmental and Historic Preservation
Advisor
Phone: 202-320-7431
Peter.Thomas2@fema.dhs.gov

Jean McDonough
Infrastructure Branch Chief
Phone: 617-595-7404
Jean.McDonough@fema.dhs.gov

Connecticut Department Emergency Services and Public Protection (DESPP)/ Division of Emergency Management and Homeland Security (DEMHS)

25 Sigourney Street 6th Floor
Hartford, CT 06106
860-256-0800
800-397-8876

Dana Conover
Public Assistance Coordinator
860-883-3904
Dana.Conover@ct.gov

Mark Scerra
Deputy Public Assistance Coordinator
860-250-8285
Mark.Scerra@ct.gov

Emily Pysh
State Hazard Mitigation Officer
860-256-0865
Emily.Pysh@ct.gov

Gemma Fabris
Deputy State Hazard Mitigation Officer
860-256-0846
Gemma.Fabris@ct.gov

U.S. Army Corp of Engineers Regulatory Office: New England District/Permits

Robert Desista
616 Virginia Road
Concord, MA 01742
Phone: 978-318-8879
Fax: 978-318-8303
Robert.J.Desista@usace.army.mil

Connecticut Commission on Culture & Tourism/Historic Preservation and Museum Division/State Historic Preservation Office

CCT/SHPO
1 Constitution Plaza, 2nd Floor
Hartford, CT 06103

Dan Forrest
Deputy SHPO
860-256-2761
Daniel.Forrest@ct.gov

U.S. Fish & Wildlife Service – New England Field Office

Tom Chapman
Supervisor
70 Commercial Street, Suite 300
Concord, NH 03301
603-233-2541 ext. 6410
Tom.Chapman@fws.gov

Connecticut National Flood Insurance Program (NFIP)

Diane Ifkovic
NFIP State Coordinator
Phone: 860-424-3537
Fax: 860-424-4075
Diane.Ifkovic@ct.gov

National Marine Fisheries Service

Chris Boelke
Field Office Supervisor
Habitat Conservation Division
55 Great Republic Drive
Gloucester, MA 01930
Phone: 978-281-9131
Christopher.Boelke@noaa.gov

Department of Energy and Environmental Protection (DEEP)

79 Elm Street
Hartford, CT 06106-5127

Debris Management
Interagency Debris Management Task
Force
Phone: 860-424-3366
DEEP_Debris@ct.gov

Permit Assistance Office
860-424-3003

Connecticut Inland Water Resources
Carla Feroni
Phone: 860-424-3390
Carla.Feroni@ct.gov

Open Burning Questions:
Timothy Marsh
Supervising Compliance Specialist
(860) 424-3452
Timothy.Marsh@ct.gov

Bureau of Air Management
Compliance
Phone: 860-424-3026

Department of Public Health
Asbestos Abatement
Phone: 860-509-7367

Department of Public Health
Toxic Hazards, Environmental
Epidemiology & Occupational Health
Phone: 860-509-7744

Connecticut Agricultural Experiment Station

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