

Course Overview, Course Goal, and Objectives

Welcome to the Environmental and Historic Preservation Considerations/Compliance for Public Assistance Grants course. The course will provide an overview of environmental and historic preservation considerations that may affect Public Assistance projects.

Upon successfully completing the course, participants will be able to:

- Explain the role of FEMA's Environmental and Historic Preservation staff in conjunction with the Public Assistance Program
- Explain the importance of early identification of environmental and historic preservation compliance considerations that Applicants may face in the post-incident environment
- Explain how environmental and historic preservation considerations affect the decision-making process to develop compliant scopes of work
- Identify key stakeholders and resources that Applicants will coordinate with to ensure compliance with environmental and historic preservation requirements

Lesson 1 Overview and Objectives

This lesson discusses environmental and historic preservation considerations and requirements to receive and retain Public Assistance grant funding.

At the end of this lesson, participants will be able to:

- Identify administrative requirements of the course
- State the goals and objectives of the course
- Explain environmental and historic preservation compliance
- Discuss the purpose of the environmental and historic preservation review process in the Public Assistance Program

FEMA's Mission

FEMA's mission is helping people before, during, and after a disaster.

FEMA's delivery of the Public Assistance Program is authorized by the Stafford Act. As a law, the Robert T. Stafford Disaster Relief Act provides the foundation for emergency and disaster response, recovery, and mitigation and authorizes the President of the United States to provide Public Assistance funding.



FEMA's Office of Environmental Planning and Historic Preservation

FEMA's Environmental Planning and Historic Preservation Team provides expertise in facilitating compliance that results in better decisions and stronger communities.

FEMA's Environmental and Historic Preservation Staff achieve this mission by:

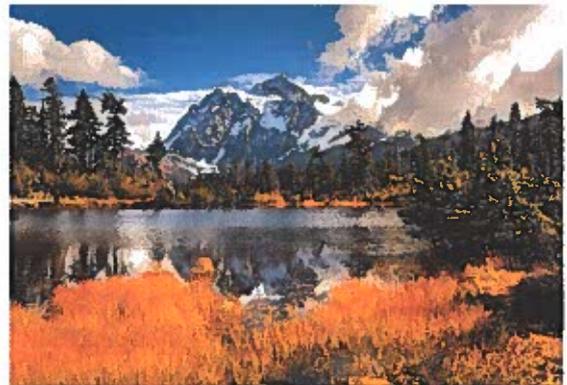
- Ensuring that FEMA grants are compliant with Federal environmental and historic preservation laws, regulations and Executive Orders
- Incorporating environmental planning and historic preservation values into all of FEMA's programs and activities
- Directly facilitating support to assist Recipients and Applicants (State, Tribal, Territorial and local governments as well as private non-profit organizations) through the Public Assistance grant process



FEMA's Environmental Planning and Historic Preservation Responsibilities

The Environmental and Historic Preservation responsibilities related to Emergency Management are to:

- Ensure that the effects of the Federal government's actions on natural and cultural resources are taken into consideration through appropriate planning, mitigation, response, and recovery actions
- To the extent possible, in conjunction with post-disaster community priorities, ensure that adverse effects to natural and cultural resources are avoided or minimized
- Ensure that all Federally funded grant activities are compliant with appropriate environmental and historic preservation laws, regulations, and Executive Orders



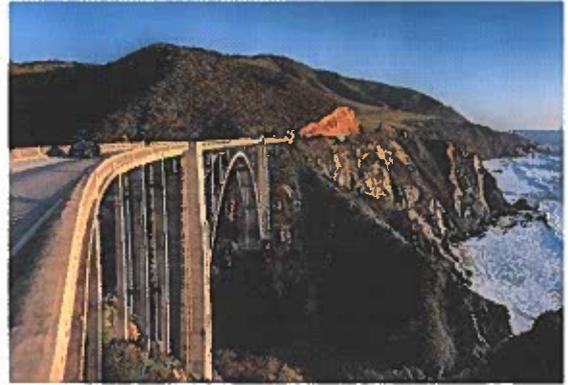
Environmental and Historic Preservation Policy

As stated previously, FEMA is required to ensure that disaster response and recovery, mitigation, and preparedness responsibilities are carried out in a

manner that is compliant with all Federal laws, regulations, and Executive Orders.

During presidentially declared emergencies and disasters, Public Assistance Applicants complete work funded through Federal grant programs to minimize threats to public health, safety and the environment, while they restore their facilities. Work to complete the grants must ensure:

- Loss or degradation or undesirable and unintended consequences to the environment are avoided
- Avoidance or minimization of adverse effects to historic, cultural, and natural aspects of national heritage must be considered, including Applicant demonstration of coordination with Environmental and Historic Preservation Specialists to ensure appropriate consultation with State and Federal resource agencies is completed



FEMA's Legal Responsibility to Comply with Environmental and Historic Preservation Laws, Regulations, and Executive Orders

The integrity of the natural and historic landscape is important, and the steps taken to strengthen or rebuild communities may have long-term environmental and cultural impacts. National Environment Protection Agency requires FEMA to consider environmental and historic preservation laws, regulations, and executive orders protecting resources require project proponents to comply. Regardless of the timing or the funding program involved, these types of FEMA activities generally have a higher potential to impact natural and cultural resources:

- New construction requiring ground disturbance
- Modification, expansion, or mitigation of existing facilities
- Work in or around water
- Debris removal and disposal
- Demolition



Restoring facilities to their pre-disaster condition tends to have a lower potential for impacts to the natural and cultural resources.

Environmental and Historic Preservation and Public Assistance (1 of 3)

To ensure proper stewardship of historic properties and the environment, there are more than 30 Federal laws, regulation, and executive orders—in addition to State laws and codes—in place to protect these resources.

FEMA's Environmental and Historic Preservation program provide technical assistance to Applicants and Recipients to ensure the approved scope of work complies with applicable Federal laws, regulations, and Executive Orders.

FEMA's Environmental and Historic Preservation staff provides support to communities across the country to ensure that proposed projects align with environmental requirements.

Applicants and Recipients should engage Environmental and Historic Preservation in the recovery process as early as possible.

Environmental and Historic Preservation staff strive to become engaged in the recovery process as early as possible within presidentially declared emergencies and disasters.



Environmental and Historic Preservation and Public Assistance (2 of 3)

All Federally funded projects are reviewed by Environmental and Historic Preservation staff to ensure compliance with the National Environmental Policy Act and other environmental and historic preservation laws. Documentation of the review, including all requirements to retain funding for work to be completed or to demonstrate compliance for work already completed, are identified and visible to Recipients and Applicants for each grant within Grants Portal.

This may include submission of applicable permits and or demonstration of compliance with all project conditions. Applicants must comply with environmental and historic preservation requirements for permits and all other work related to the grant award. Applicants must be able to document compliance in order to receive reimbursement of funds through a FEMA Public Assistance grant.

Environmental and Historic Preservation and Public Assistance (3 of 3)

Applicants and Recipients may visit the FEMA Office of Environmental and Historic Preservation website for additional assistance or resources.

In addition, during declared events, each Applicant and Recipient will receive an Environmental and Historic Preservation Greensheet. The Greensheet provides information regarding potential environmental and historic preservation consideration triggers and provides points of contact with FEMA and regulatory agencies for guidance and support for achieving compliance.



Environmental and Historic Preservation and Hazard Mitigation (1 of 2)

Public Assistance grants may include hazard mitigation funding to strengthen facilities and reduce potential damages in future disasters. This work goes beyond returning the facility to its pre-disaster condition. The proposed mitigation is included in the project's environmental and historic preservation review. This ensures Hazard Mitigation Assistance project funding complies with:

- National Environmental Policy Act
- National Historic Preservation Act
- Endangered Species Act
- Clean Water Act
- Executive Order 11988 (Floodplain Management)
- Executive Order 11990 (Protection of Wetlands)
- Executive Order 12898 (Environmental Justice)
- All other applicable environmental and historic preservation laws

Environmental and Historic Preservation and Hazard Mitigation (2 of 2)

Changes to the footprint or location of a facility will require a higher level of environmental/historic preservation review.

Include early coordination with Environmental and Historic Preservation Specialist to ensure compliance with the laws in the formulation of project scopes of work can identify possible impacts to natural and cultural resources. Revising the scope of work or incorporating mitigation measures may avoid or minimize the impacts to those resources.



Project Planning with Considerations for Environmental and Historic Preservation Compliance

Under Section 106 of the National Historic Preservation Act, the Federal government is required to consider the effects of their actions on resources that are listed in, or eligible for listing in, the National Register of Historic Places. Qualified FEMA Historic Preservation Specialists will determine if the proposed undertaking may affect historic resources and, if necessary, consult with the State and/or Tribal Historic Preservation Officer, and other interested parties to resolve any adverse effects.

The HMA EHP at-a-Glance Guide provides additional environmental and historic preservation considerations for all actions related to project planning.

Lesson 1 Summary

In this lesson, you learned how to:

- Identify administrative requirements of the course
- State the goals and objectives of the course
- Explain environmental and historic preservation compliance
- Discuss the purpose of the environmental and historic preservation review process in the Public Assistance Program

The next lesson will provide an overview of the Federal laws and regulations for environmental and historic preservation that an Applicant must comply with to be eligible for FEMA Public Assistance grant funding.

Lesson 2 Overview and Objectives

This lesson provides an overview of the Federal laws, regulations, and Executive Orders the Recipient and Applicant must comply with to be eligible for FEMA Public Assistance grant funding.

At the end of this lesson, participants will be able to:

- Identify the foundational laws, regulations, and Executive Orders for environmental and historic preservation
- Describe the impacts of lack of compliance with environmental and historic preservation regulations

Environmental Conservation and Historic Preservation Defined

Environmental and historic preservation law and policy are designed to ensure that the Federal government consider the effects of their actions on natural and cultural resources.

Environmental conservation is the protection, preservation, management, or restoration of natural environments and the ecological communities that inhabit them.

Historic preservation is an endeavor that seeks to preserve, conserve and protect buildings, objects, landscapes or other artifacts of historic significance to transmit our understanding of the past to future generations.



Definitions

The Applicant must demonstrate compliance with laws, Executive Orders, regulations, and policies when issuing grant awards in the Public Assistance Program.

Laws are enacted by Congress and signed by the President. They provide the legal basis and funding for programs and/or projects.

Executive Orders are issued by the President to Federal agencies. Executive Orders have the force and effect of law.

Regulations are rules based on the interpretation of law. Regulations must be within the agency's statutory authority. After public vetting, regulations have the force of law.

Policies are rules issued to clarify laws and regulations as they relate to specific agency actions.

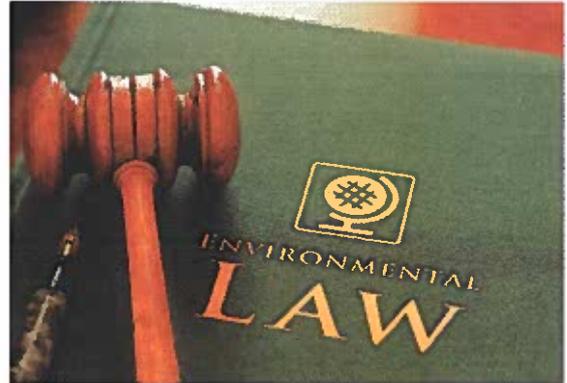


Environmental and Historic Preservation Compliance

Recipients and Applicants are responsible for complying with these environmental and historic preservation laws, regulations, Executive Orders, and policies. Laws and regulations are subject to change at any time. Applicants receiving Public Assistance grant funding must be up to date on the most current environmental and historic preservation laws that could affect their projects; hence they can even ask FEMA for technical assistance.

Remember that compliance requirements for a Public Assistance grant are stipulated within the FEMA environmental and historic preservation review and are specific to the work for that project. Compliance permits and coordination with regulatory agencies are required before an Applicant can commence physical work. Written documentation demonstrating compliance is required for completed work at the time of grant formulation and award.

For work to be complete, Permits and regulatory agency coordination is conducted prior to work commencing. Written documentation demonstrating compliance is needed by at least the close-out of grant.



Environmental Statutes and Regulations

The FEMA environmental and historic preservation grant review covers compliance with many laws and regulations. The laws, regulations, Executive Orders, and policies that regulate environmental conservation and historic preservation include, but are limited to, the following:

- National Environmental Policy Act
- Endangered Species Act
- National Historic Preservation Act
- Clean Water Act
- Clean Air Act
- Executive Order 11988, Floodplain Management
- Executive Order 11990, Protection of Wetlands
- Executive Order 12898, Environmental Justice



- Additional Federal and State laws and regulations

National Environmental Policy Act

The National Environmental Policy Act provides the basis for the establishment of a national environmental strategy. The primary goals of National Environmental Policy Act are to:

- Obligate Federal agencies to consider the potential impacts of their actions to the human environment (physical, natural, cultural and social) before proceeding
- Require consideration of alternatives to the proposed action
- Ensure that the agency will provide an opportunity for public input into the decision-making process



National Environmental Policy Act and the Public Assistance Grant Program

Any amount of Federal funding spent on a project requires compliance with the National Environmental Policy Act, regardless of the total project cost. While all FEMA grants are considered Federal projects, certain FEMA funded projects are statutorily excluded from National Environmental Policy Act review.

To comply with the National Environmental Policy Act, Applicants and Recipients must follow a specific decision-making process and documentation protocol throughout the project lifecycle.

The National Environmental Policy Act does not dictate an outcome. FEMA may determine that factors such as socio-economic concerns, cost effectiveness or technical feasibility outweigh the project's environmental impacts. National Environmental Policy Act will be discussed in detail in the next lesson.



Endangered Species Act

The Endangered Species Act was enacted in 1973 to protect endangered and threatened species and their critical habitats.

The Endangered Species Act applies to everyone, not just Federal agencies. There are severe penalties for non-compliance. Projects that do not comply with the Endangered Species Act may be delayed or stopped, and individuals can be prosecuted. Penalties can include fines and/or imprisonment.



Endangered Species Act Section 7

Animals or plants in danger of extinction may be designated as an **endangered species**.

Animals or plants that are likely to become endangered may be designated as a **threatened species**.

Specific geographic areas (as defined by legislation) essential for the conservation and management of threatened and endangered species are classified as a **critical habitat**.

Section 7 of the Endangered Species Act requires FEMA to consider and determine if its actions have any potential to affect listed species or their critical habitats.

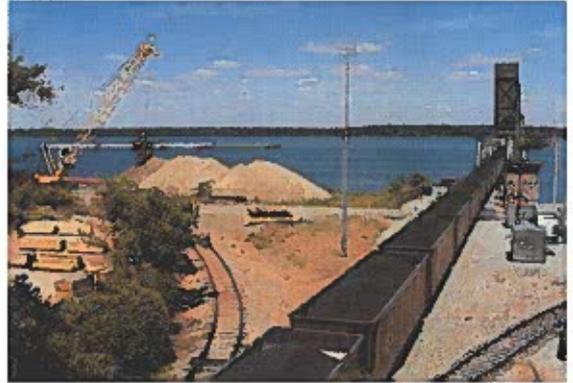


Endangered Species Act Triggers

Most types of FEMA funded projects have the potential to trigger the Endangered Species Act. Projects with the highest likelihood of impact include:

- New construction
- Work in or near water
- Debris operations
- Work in pristine areas

These projects may require consultation with U.S. Fish and Wildlife Service or the National Marine Fisheries Service (also known as National Oceanic and Atmospheric Administration Fisheries). These consultations will be completed by subject matter experts in the environmental and historic preservation section and can take months. An accurate project description is key to expediting the process.



Endangered Species Act Review Process

FEMA has negotiated various agreements that may simplify and expedite the Endangered Species Act review process. These agreements address routine activities with minimal potential to affect listed species and critical habitat.

The agreements allow FEMA to approve certain types of projects without extensive U.S. Fish and Wildlife Service/National Marine Fisheries Service consultation. A good scope of work is necessary to determine whether projects fit under these agreements.



Clean Air Act

FEMA environmental and historic preservation section reviews project scopes of work for several pollution control laws. Most of these laws are managed by the State's regulatory agency's authority delegated by a Federal agency, generally the Environmental Protection Agency to the State Department of Natural Resources.

The Clean Air Act sets limits on air pollutant emissions. The Clean Air Act applies to FEMA actions, such as:

- Burning debris
- Demolition of structures
- Emissions from new power generation equipment

Compliance with the Clean Air Act may require permits from State and local environmental agencies.



Clean Water Act

The Clean Water Act establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.

FEMA activities regularly involve work in rivers, wetlands, estuaries, or other waters of the United States. Permits from the United States Army Corp of Engineers are often required for work in or near water. Typical project types include:

- Culvert replacement
- Bridge repair
- Drainage improvements
- Embankment restoration



Clean Water Act Permits

Under the Clean Water Act, the U.S. Army Corps of Engineers and State water quality agencies issue permits, and the Applicant is responsible for obtaining the necessary permits. There are two types of U.S. Army Corps of Engineers permits:

- **General Permits** are issued on a nationwide, regional, or State basis for specific categories of activities
- **Individual Permits** are required for larger projects with potentially significant impacts



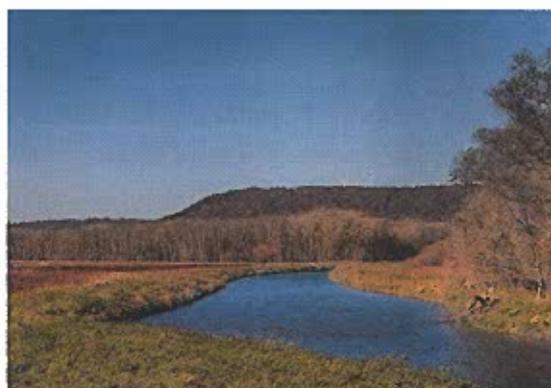
Applicants must coordinate with the U.S. Army Corps of Engineers and State agencies to obtain the appropriate permits before beginning work in or near water.

Executive Order 11988 - Floodplain Management

Executive Order 11988 requires Federal agencies to take action to reduce the risk of flood loss and to minimize the impacts of floods on human health, safety, and welfare.

Floodplain management is an important issue for FEMA because:

- Flooding is a major cause of disaster damage
- FEMA administers the National Flood Insurance Program and publishes Flood Insurance Rate Maps



Executive Order 11988 - Floodplain Management Goals

The goals of Executive Order 11988 are to:

- Maintain natural and beneficial floodplain values
- Avoid development or new construction in floodplains
- Evaluate potential effects of Federal actions in floodplains

In some cases, special requirements must be met before an action located in the floodplain can be funded (elevation, flood proofing, etc.).



Executive Order 11988 - Floodplain Identification

A **floodplain** is any land area susceptible to being inundated by floodwaters, such as areas adjacent to streams and rivers, coastal and tidal areas, urban runoff areas, and other low-lying areas.

Special Flood Hazard Areas are identified on Flood Insurance Rate Maps. They are areas where the National Flood Insurance Program's floodplain management regulations are enforced and where the mandatory purchase of flood insurance applies.

Special Flood Hazard Areas are designated on Flood Insurance Rate Maps as zones. The 1% annual flood chance (100-year flood) is an area which may be inundated by a flood event with a 1% chance of being equaled or exceeded in any given year. It is shown as Zone A on Flood Insurance Rate Maps.

Flood zones are defined by type, depth, and frequency of flooding. The 500-year floodplain, which is also shown as Zone A on Flood Insurance Rate Maps, are ponding areas. Coastal hazard flood zone is mapped as Zone V. These areas flood like Zone A, but are subject to wave actions.



Executive Order 11990 - Protection of Wetlands (1 of 2)

Executive Order 11990 requires minimization of the destruction, loss or degradation of wetlands and encourages preservation and enhancement of their natural and beneficial values.

Executive Order 11990, Protection of Wetlands, requires Federal agency actions to:

- Avoid, to the extent possible, adverse impact on wetlands
- Avoid supporting actions affecting wetlands when there are practicable alternatives for implementing function of proposed project

FEMA funded projects in or near wetlands may require coordination with multiple agencies, such as the U.S. Army Corps of Engineers, Environmental Protection Agency, and State water quality agencies.

Any action located in or near wetlands can result in compliance requirements. Applicants should be proactive in their communication and coordination with State regulatory agencies prior to completing work, in order to receive compliance guidance. FEMA Environmental and Historic Preservation Specialists are also available to provide support and guidance regarding the compliance process.



Executive Order 11990 - Protection of Wetlands (2 of 2)

A wetland is an area of land in which the soil is saturated with moisture, either permanently or

seasonally, and includes specific types of vegetation, soil, and hydrology. Specialists can identify wetlands based on these features. Many natural and manmade environments can be classified as wetlands. Wetlands may be salt water, fresh water, or brackish water.

Examples of wetlands include:

- Swamps
- Bogs
- Marshes
- Bayous
- Estuaries
- Tidal areas



Executive Order 12898, Environmental Justice in Minority Populations and Low-Income Populations

Executive Order 12898 requires Federal agencies to consider whether their actions would adversely and disproportionately affect minority or low-income populations.

FEMA actions that may trigger this Executive Order:

- Siting of debris locations
- Siting of temporary housing
- Relocation of critical infrastructure (schools, fire stations)
- Large-scale acquisitions/demolitions



Additional Federal and State Regulations

FEMA must comply with many other biological, coastal, water resource, pollution control, debris management, and socioeconomic laws. Other Federal and State regulations that may need to be considered during an EHP review include, but limited to:

- Fish and Wildlife Coordination Act
- Migratory Bird Treaty Act
- Bald and Golden Eagle Protection Act
- Magnuson-Stevens Fishery Conservation and Management Act
- Coastal Barrier Resources Act
- Coastal Zone Management Act
- Resource Conservation and Recovery Act
- Comprehensive Environmental Response, Compensation, and Liability Act

- Executive Order 13112: Invasive Species
- Wild and Scenic Rivers Act
- Farmland Protection Policy Act

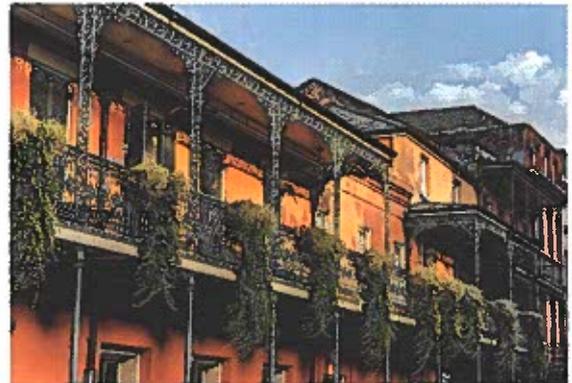
National Historic Preservation Act (1 of 2)

FEMA must also comply with several laws that govern historic preservation. The primary historic preservation law for the nation is the National Historic Preservation Act, which was passed in 1966.

The National Historic Preservation Act states that the Federal government will provide leadership in the preservation of prehistoric and historic resources of the United States.

The National Historic Preservation Act:

- Established the basic framework for the practice of historic preservation
- Assigned historic preservation responsibilities to Federal agencies



National Historic Preservation Act (2 of 2)

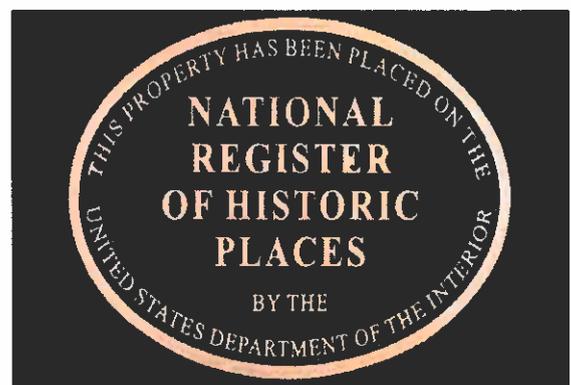
Section 106 of the National Historic Preservation Act requires FEMA to consider the effects a project will have on historic properties and provides methods required for consultation with the Advisory Council on Historic Preservation, Tribal Governments, State Historic Preservation Offices, and other interested parties.

Historic properties include buildings or groups of buildings (districts), structures, objects, landscapes, archaeological sites, and traditional cultural properties included in, or eligible for inclusion in, the National Register of Historic Places.

National Historic Preservation Act

The National Historic Preservation Act established the following:

- **National Register of Historic Places** (National Register), which maintains an inventory of the Nation's historic properties
- **Advisory Council on Historic Preservation**, which advises the President and Congress on matters of historic preservation and provides guidance to Federal agencies

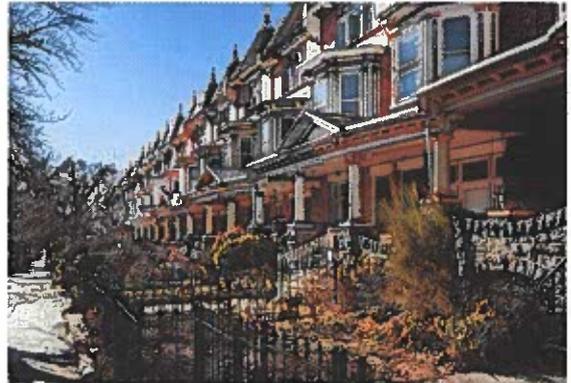


- **State Historic Preservation Officers**, who administer State historic preservation programs
- **Tribal Historic Preservation Officers**, who administer tribal historic preservation programs

National Historic Preservation Act Section 106

Section 106 of the National Historic Preservation Act mandates that Federal agencies will consider the effect of project activities on any district, site, building, structure, or object that is included in, or eligible for listing in the National Register prior to approving funds.

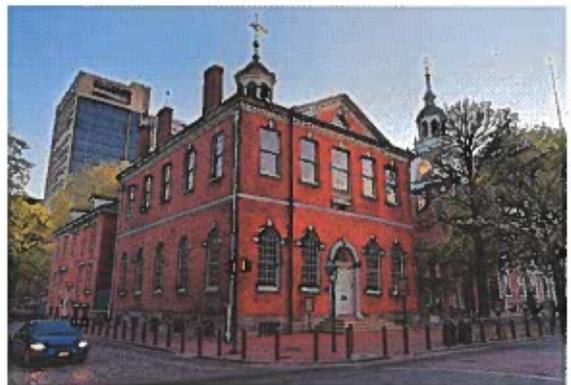
FEMA is responsible for identifying not only those properties that are currently listed on the National Register of Historic Places but also those that are eligible for listing.



National Register of Historic Places

To be listed in or eligible for listing in the National Register as a historic property, the property must be:

- One of the five defined resource types (building, structure, object, site, or district)
- Significant within its historic context
- One that retains its integrity such that it can convey its significance
- More than 50 years old, except where resources are of exceptional importance (e.g., Flight 93 National Memorial, Shanksville, PA)



National Register Resource Type

The National Register defines five types of historic resources:

- **Building:** a resource created principally to shelter any form of human activity
- **Structure:** a resource made for purposes other than creating human shelter
- **Object:** a resource that is primarily artistic in nature or is relatively small in scale and simply constructed



- **Site:** the location of a significant event or prehistoric or historic activity; or an area with historic, cultural, or archaeological value
- **District:** a concentration or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development

Historic Property Clues

Some historic properties are marked by plaques or markers, but not all are clearly marked. Some clues to identifying historic properties that indicate the necessity for additional follow-up include:

- Single buildings or concentrations of buildings that are clearly "old"
- Unusual architectural styles or design features
- Groupings of properties with similar appearance or functions such as mills or farm buildings
- Areas that seem to be a focal point for the community
- Undisturbed land or known archaeological sites



Any of these clues should be included in the project documentation or scope of work for a Public Assistance funded project. Applicants can help by providing this information early in the process to assist the FEMA Historical Preservation specialist when they are conducting the Section 106 review.

Additional Federal Regulations for Historic Preservation

Additional Federal laws and regulations for historic preservation compliance include:

- Archaeological Resource Protection Act (18 CFR 1312)
- Antiquities Act (43 CFR 3)
- Native American Graves Protection and Repatriation Act (43 CFR 10)
- National Historic Landmarks Program (36 CFR 65)
- The Secretary of Interior's Standards for the Treatment of Historic Properties (36 CFR 68)
- National Register of Historic Places (36 CFR 60)
- Curation of Federally-owned & Administered Archaeological Collections (36 CFR 79)



Activity: Review a Record of Environmental Consideration

Take some time now to open a blank Record of Environmental Considerations Report by selecting the link below in a new window. Be sure to keep this course open while reviewing the link.

Review each section of the Record of Environmental Consideration. Remember, it is the Applicant's responsibility to provide written documentation to meet the requirements listed in the report.

Note that when a grant has been awarded, this report can be found within the Grants Portal for that project. The report will also reside in EMMIE, where the grant award documentation is stored. It will remain visible in EMMIE where Recipients and FEMA will be able to view.

Non-Compliance with Environmental and Historic Preservation Conditions

Remember that Applicants are required to comply with the conditions set forth in the Record of Environmental Consideration from the start of a project.

Once an Applicant has an approved scope of work, if there is any change to that scope of work, an additional environmental and historic preservation review of that change is required before work may commence.

Failure to comply with processes and procedures as outlined in applicable environmental and historic preservation laws, regulations, and Executive Orders can result in:

- Delays to funding or work
- Loss of funding
- Adverse publicity
- Jeopardizing prior, current and/or future requests for Federal grant reimbursement
- Fines
- Criminal or civil penalties



Environmental and Historic Preservation Reviews

Environmental and historic preservation reviews include:

- Early identification of areas of concern

- Identifying scopes of work that would require consultations with external agencies to ensure compliance
- Improved planning process
- Ensuring that the approved scope of work is compliant with all applicable laws, regulations, and Executive Orders
- Timely reviews with minimal issues during time of project closeout



The Environmental and Historic Preservation staff is available to help Applicants and Recipients with compliance.

Lesson 2 Summary

In this lesson, you learned how to:

- Identify the foundational laws, regulations, and Executive Orders for environmental and historic preservation
- Describe the impacts of lack of compliance with environmental and historic preservation regulations

The next lesson will explain the processes FEMA uses to ensure an Applicant's project complies with the National Environmental Policy Act and the National Historic Preservation Act.

Lesson 3 Overview and Objectives

This lesson explains the processes that FEMA uses to ensure compliance with all applicable laws, statutes, regulations, policy and Executive Orders including the National Environmental Policy Act and the National Historic Preservation Act.

At the end of this lesson, participants will be able to:

- Identify the process FEMA uses to comply with the National Environmental Policy Act
- Identify key opportunities to communicate environmental and historic preservation considerations throughout the Public Assistance process with FEMA staff and within the Grants Portal

FEMA Compliance with Environmental and Historic Preservation

FEMA's Environmental and Historic Preservation process includes:

- Meetings, site visits, consultations with Applicants and stakeholders

- Coordination with FEMA Public Assistance staff
- Special Considerations questions/responses in Grants Portal
- Review of project grants within the Environmental Management and Information System



FEMA Compliance with the National Environmental Policy Act

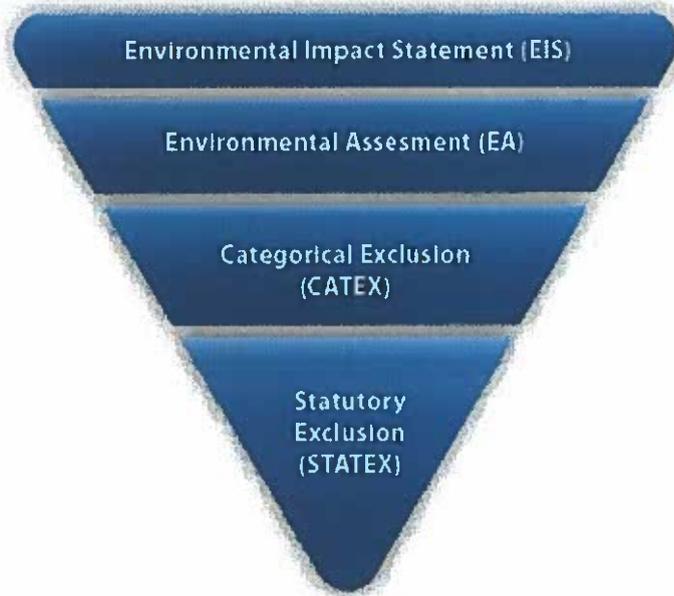
In order to ensure compliance with the National Environmental Policy Act, Environmental and Historic Preservation Staff:

- Review project details:
 - Damage description
 - Scope of work
 - Photographs
 - Maps
- Review databases to determine:
 - Floodplain impacts
 - Archeological sites
 - Historic structures
 - Endangered species
 - Work in water/wetlands



National Environmental Policy Act Process Overview

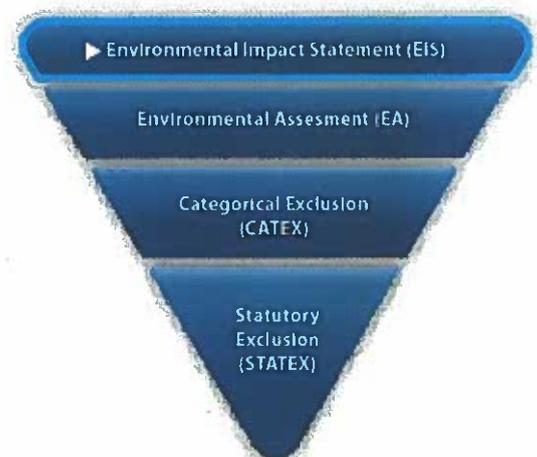
Based on the Scope of Work for a project, there are four possible outcomes or National Environmental Policy Act process levels of review. The level of review is determined by the type of work as well as the potential environmental impacts.



Environmental Impact Statement

An Environmental Impact Statement is used for Federal actions that **significantly** affect the quality of the human environment. Environmental Impact Statements:

- Are rarely required for FEMA Public Assistance projects
- Are the highest level of National Environmental Policy Act review
- Involve an in-depth analysis of large-scale, complex projects
- May take years to complete
- Are expensive
- Require extensive public involvement



Environmental Assessments (1 of 4)

An Environmental Assessment describes **potential** impacts of an action on the human environment and is used to determine if an Environmental Impact Statement will be required. Environmental Assessments:

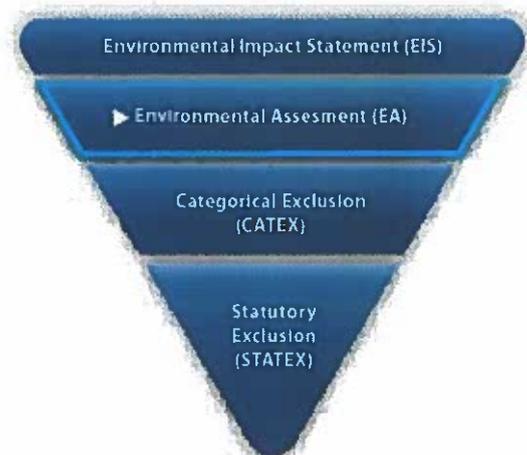
- Are typically required for FEMA Public Assistance projects with significant modifications or new construction
- Are the second highest level of National Environmental Policy Act review
- Involve a concise analysis of projects when the environmental impacts are uncertain
- May take months to complete
- Must include public notification



Environmental Assessments (2 of 4)

Typical actions that require an Environmental Assessment include:

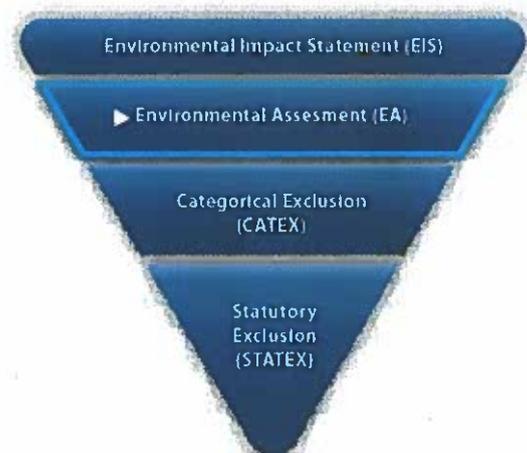
- New construction projects
- Increase in structure footprint
- Temporary housing on undeveloped sites
- Relocating facilities
- Large-scale drainage projects
- Actions with public controversy



Environmental Assessments (3 of 4)

Environmental Assessment Reports must include:

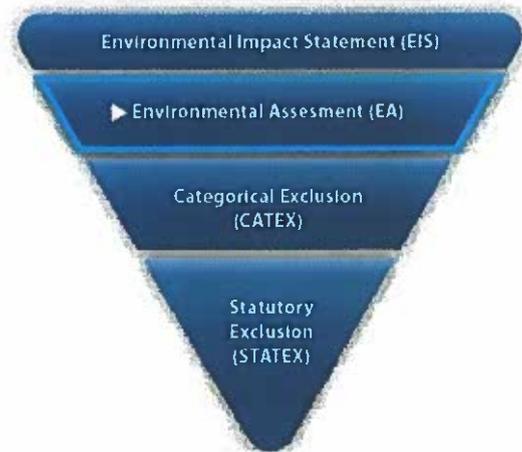
- Statement of the purpose and need of the project
- Description of the proposed action and alternatives considered
- Impacts of the proposed action and alternatives
- A record of consultation and coordination
- Opportunities for public involvement



Environmental Assessments (4 of 4)

An Environmental Assessment has two possible outcomes:

- A Finding of No Significant Impact: the action will have **no significant effect** to the human environment and no Environmental Impact Statement is required
- A Notice of Intent for an Environmental Impact Statement because significant impacts are possible.



Environmental and Historic Preservation Reviews and Comments (1 of 3)

The FEMA Environmental and Historic Preservation Staff comments and compliance requirements are captured in the Record of Environmental Consideration or in particularly complex projects, the Environmental Assessment - Finding of No Significant Impact (FONSI). These review comments and compliance requirements are permanently recorded and visible to Recipients and Applicants within Grants Portal for each respective project.



FEMA creates the Record of Environmental Consideration to document compliance with the National Environmental Policy Act, the National Historic Preservation Act, Endangered Species Act, Executive Order 11988 and Executive Order 11990 as well as other applicable laws, regulations and Executive Orders.

The Record of Environmental Consideration outlines the

stipulations for compliance with all laws considered under the environmental and historic preservation review process. It specifies all conditions required for compliance with environmental and historic preservations laws when implementing proposed project work.

Environmental and Historic Preservation Reviews and Comments (2 of 3)

Some of the conditions listed in the Record of Environmental Consideration apply to every project. These standard conditions can be found in Grants Portal or by accessing the Record of Environmental Consideration document online.

Other conditions may be specific to individual projects; and these are determined after FEMA performs the environmental and historic preservation review of that respective project. Applicants and Recipients can see the specific project's environmental and historic preservation conditions inside the project's Environmental and Historic Preservation profile in Grants Portal.

In order to guarantee compliance for work-to-be-completed projects, all requirements in the Record of Environmental Consideration should be reviewed and

The screenshot displays the Grants Portal interface. At the top, it says "Submitted on 5/7/2012 4:53 pm by BLACK STAR LLC SL". Below this, there are tabs for "EHP Information", "Permitting Inventory", "Comments", and "Documents". The main content area is titled "EHP Compliance & Conditions" and contains the following text:

Is this project compliant with EHP laws and orders?

EHP Conditions

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders
- This review does not address all Federal, state and local requirements. Approvals of Federal funding require recipient to comply with all Federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may preclude funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Below the conditions, there are sections for "EHP Additional Information", "Documents" (with a "MANAGE" button), "Request for Information", "Comments" (with an "ADD COMMENT" button), and "Process Status History".

understood before physical work is started.

Environmental and Historic Preservation Reviews and Comments (3 of 3)

It is important for Applicants to review the Record of Environmental Consideration requirements at the start of a project and also at specific times throughout the project. Any changes to the approved scope of work will require an additional review by FEMA's Environmental and Historic Preservation staff. This includes:

- General changes
- Changes to the method of repair
- Improved projects
- Alternate projects
- Significant changes to Scope of Work

Changes to the scope of work must be reviewed and approved prior to commencement of work. Additional environmental and historic preservation requirements may be necessary as a result of the change in the project's scope of work.

Failure to notify the Recipient and/or FEMA and seek timely approval for scope of work changes, may result in loss of funding for noncompliance.

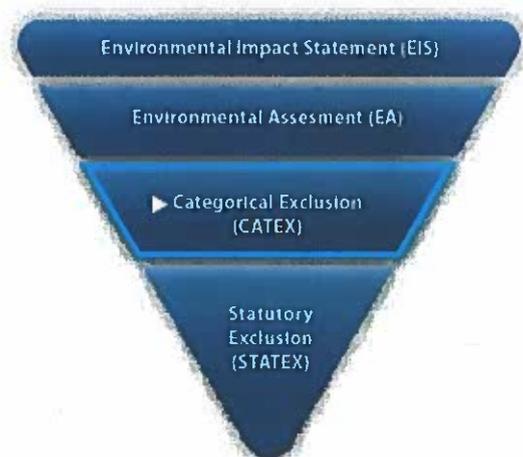


Categorical Exclusions (1 of 4)

A third type of National Environmental Policy Act review is a Categorical Exclusion, which is an exemption for a specific **type of action** determined to have **no significant impact** on the human environment.

Categorical Exclusions:

- Third highest level of National Environmental Policy Act review
- Streamline the National Environmental Policy Act process-project types are pre-approved
- More efficient than an Environmental Assessment or Environmental Impact Statement

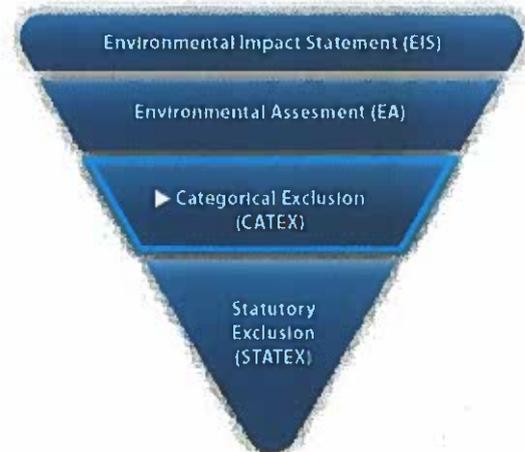


- Do not require alternatives analysis
- Require no additional public notice for use

Categorical Exclusions (2 of 4)

Categorical Exclusions commonly used in Public Assistance include:

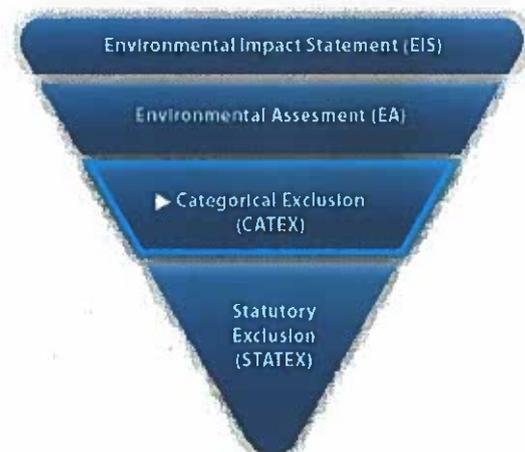
- Studies (e.g., engineering design)
- Facility Repair (not in water)
- Instream work-with any mitigation bioengineered
- Work in coastal areas, velocity zones
- Structure relocation/re-alignment
- Structure/facility upgrade (codes and standards)
- Flood hazard reduction
- Grants Administrative Actions
- Minor renovations/additions
- Repair and Maintenance
- Utility reconstruction
- Maintenance dredging



Categorical Exclusions (3 of 4)

Categorical Exclusions may also include:

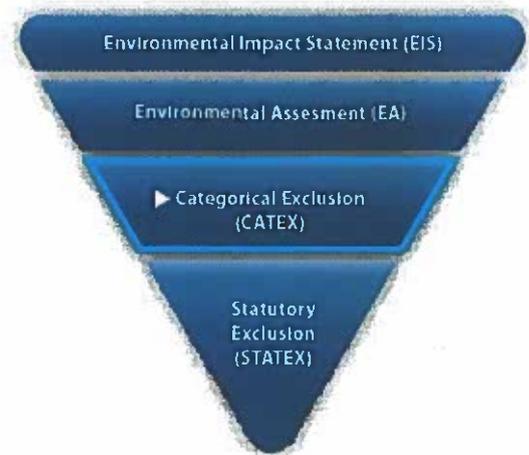
- Demolition of structures and other improvements, or disposal of uncontaminated structures and other improvements to permitted offsite locations, or both
- Physical relocation of individual structures
- Repair, reconstruction, restoration, elevation, retrofitting, upgrading to current codes and standards, or replacement of any facility in a manner that substantially conforms to the preexisting design, function, and location



Categorical Exclusions (4 of 4)

If extraordinary circumstances are present, an action that is normally a Categorical Exclusion may be elevated to an Environmental Assessment. Examples of these circumstances include a structure the local community does not want to be repaired of

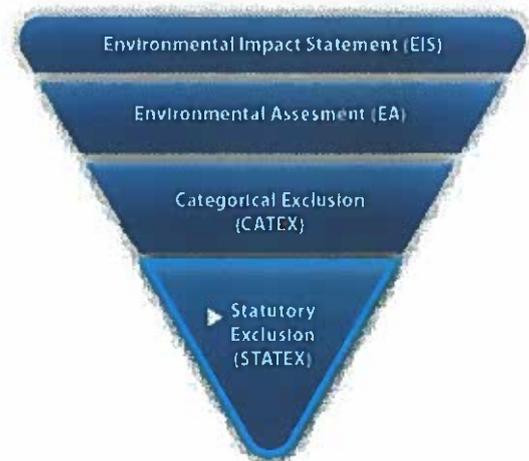
maintained at the current location for political reasons.



Statutory Exclusions

Statutory Exclusions are statutorily excluded from National Environmental Policy Act review and are:

- Specifically created for FEMA because of the Agency's unique mission
- Apply only to emergency work or where facilities are repaired or restored to their pre-disaster condition
- Typically take the shortest amount of time to complete
- Require no detailed environmental and historic preservation review
- Comprise the majority of disaster recovery projects



Environmental and Historic Preservation Considerations During the Recovery Process

Environmental and historic preservation should be considered during all phases of the Public Assistance grants process and is triggered for all FEMA Public Assistance grant projects, as well as, any time there is a proposed or significant change in the scope of work.

Environmental and historic preservation considerations may be especially important during these steps in the recovery process:

- Preliminary Damage Assessment
- Exploratory Call
- Damage Inventory
- Document disclosure
- Compliance review
- Recovery Transition Meeting

- Recovery Scoping Meeting
- Project formulation
- Site inspection

- Any changes in project scope of work
- Closeout

Preliminary Damage Assessment

Considerations during the Preliminary Damage Assessment include identifying facilities with specific historical or environmental preservation values. This allows FEMA to provide the proper process of program and project management, including specialists that may be needed to produce scope of work and costing of the damaged facility to assure environmental and historic preservation compliance.

Considerations to look for include but are not limited to:

- Historic structures or structures more than 45 years old
- Ground-disturbing activities
- Work in or near water
- Work in a floodplain or wetland
- Potential for threatened or endangered species

Exploratory Call

During the Exploratory Call, Program Delivery Managers will solicit information regarding historic structures and environmentally sensitive areas related to damaged facilities to allow for proper reporting of the damage inventory within the Grants Manager software.

If environmental and historic preservation concerns are identified during the Exploratory Call, Program Delivery Managers will notify Environmental and Historic Preservation staff and request their presence at Recovery Scoping Meetings and Site Inspections for these damages.



Damage Inventory

The Damage Inventory should provide specifics related to environmental and historical concerns associated with damaged facilities.

For example damages to:

- Road adjacent to a river, where the road embankment is also a riverbank
- Historic bridge structures (more than 50 years old) where structural members will need replacement
- Fences or gravestones in older sections of cemeteries
- Coastal areas
- Facility that requires tree clearance to access for repair

The need for specific environmental and historic preservation information will drive the approval process, need for site inspections, and provision of appropriate funding for an Applicant's recovery process.

Environmental and historic resource concerns should be documented for each damage to facilitate future environmental and historic preservation review.

Recovery Scoping Meeting

Applicants should identify project locations and aspects that might have environmental and historic preservation considerations, such as:

- Debris staging and disposal areas
- Work on road embankment/streambank interface that will involve streambank stabilization
- Culvert replacements on mapped streams (may require permitting, Hydrologic and Hydraulic analysis for proper sizing)
- Historic structures that may require specialized repairs
- Projects that may involve excavation of previously undisturbed ground
- Projects that may involve tree removal and require consultation for impacts to Northern Long-eared bats
- Project sites where Environmental and Historic Preservation Staff should attend Site Inspections

Project Formulation

During project formulation, the Program Delivery Manager should ensure the information related to historical and environmental considerations is documented appropriately. The projects should identify specialized needs for Site Inspections and critical information for the Consolidated Resource Center to be able to conduct appropriate evaluation of the projects.

- Accurate project locations for environmental and historic preservation consultation of online databases
- Detailed scope of work descriptions to identify permit requirements

Site Inspection

Environmental and Historic Preservation Staff attending Site Inspections can help identify potential environmental and historic preservation concerns early in the recovery process. Attendance at a Site Inspection allows for:

- First-hand view and assessment of environmental/historic site conditions
- Photographic documentation of site conditions and project damages to be repaired/replaced
- Field discussion with the Applicant regarding preliminary repair method and equipment access locations

Potential environmental and historic preservation concerns during a Site Inspection may cause further delays as a project is developed or undergoes compliance reviews.

Document Disclosure

All documents related to a facility that shows historic or environmental considerations should be provided to the FEMA Program Delivery Manager, to allow for proper documentation throughout the project development and reviews.

The Program Delivery Manager will ensure that the environmental and historic preservation documents and Site Inspection reports are attached to the projects to allow for a proper scope of work and costing of the damaged facility at the Consolidated Resource Center.



Environmental and Historic Preservation Compliance Review

Once a project is developed and has an accurate and complete scope of work, Environmental and Historic Preservation Staff will review the project to make sure the project complies with environmental and historic preservation laws, regulations, and Executive Orders.

This compliance review will also identify project-specific conditions that an Applicant must comply with. Non-compliance with environmental and historic preservation conditions and requirements may result in the de-obligation of funds.

Every project will include the following three conditions:

- Any significant change to an approved scope of work will require re-view for compliance
- If potential archaeological resources are discovered during ground disturbing, the Applicant must stop work in that area and notify the Recipient and FEMA
- Failure to comply with any laws or obtain any permits may jeopardize funding

A project may also include project-specific conditions such as:

- Permit is required
- Monitoring is required
- Work can only occur during certain months

Recovery Transition Meeting

During the Recovery Transition Meeting, the FEMA Program Delivery Manager should discuss the compliance conditions placed on projects due to environmental and historic preservation reviews.

The Applicant must understand that noncompliance with environmental and historic preservation conditions and requirements may result in the de-obligation of funds.

Environmental and Historic Preservation Changes in Approved Scopes of Work and Closeout

Changes in Approved Scopes of Work

The Applicant must notify FEMA of any changes to an approved scope of work. FEMA Environmental and Historic Preservation Staff will review the changes to ensure the project complies with environmental and historic preservation laws, regulations, and executive orders. This review must occur before the start any work.

Closeout

During Closeout, FEMA must ensure the Applicant has complied with any environmental and historic preservation conditions, including procuring any necessary permits. The Applicant will also be required to provide a certificate of compliance and completion, or an intent to complete all scopes of work for the specific grant.

Environmental and Historic Concerns for Specific Project Conditions

Environmental and historic preservation concerns should be considered during all stages of projects involving these conditions, but are not limited to the following:

- Debris operations
- Ground disturbance
- Work within water
- Work in a floodplain or wetland
- Improved or Alternate Projects
- Buildings which are damaged more than 50 percent
- Significant hazard mitigation proposals



- Known historic district or buildings/facilities over 45 years in age

Environmental and Historic Preservation Considerations for Debris Operations

For projects involving debris removal, it is important to consider that burning debris waste or storing debris near waterways can impact the environment as well as violate the Clean Air Act or Clean Water Act. The National Environmental Policy Act requires FEMA to follow a specific decision-making process based on environmental impact consequences.

Debris should never be staged or stored in floodplains. Each Applicant should be familiar with their flood zones. Project locations can be checked on the FEMA Map Service Center web site.



Environmental and Historic Preservation Considerations for Ground Disturbance

Ground disturbances can affect the environment in the following ways:

- How the water is drained off specific properties
- How specific animals may thrive in a specific area
- How the project impacts coastal erosion
- How the project disrupts archaeological resources

These specifics are found in the Endangered Species Act, Coastal Zone Management Act, and Migratory Bird Treaty Act, National Historic Preservation Act.

Environmental and Historic Preservation Considerations for Work Within Water

Any work within, around, or near water that involves cleanup and construction for recovery from damages will require permitting from the Army Corp of Engineers and a review by specific Federal Agencies to assure that the Applicant is following the following laws and regulations:

- Clean Water Act
- Coastal Barrier Resources Act
- Migratory Treaty Act
- Coastal Zone Management Act
- Fish and Wildlife Coordination Act
- Wild Scenic Rivers Act
- Magnuson-Stevens Fishery Conservation and Management Act
- Executive Order 11988 Floodplain Management
- Executive Order 11990 Protection of Wetlands
- Executive Order 12898 Environmental Justice

Environmental and Historic Preservation Considerations for Work in a Floodplain or Wetland

For any structure (walled or roofed building, including mobile homes and gas or liquid storage tanks) that is built, placed, or substantially improved in a Special Flood Hazard Area, the Applicant must at a minimum, either elevate or flood-proof the lowest floor (including the basement) to or above the 100-year base flood elevation.

Any work in a floodplain is required to be reviewed and approved by the Army Corp of Engineers based on the Clean Water Act and must involve consultation with the local floodplain administrator.

Any construction in a wetland needs to have specific review to assure that the drainage from new or additional construction will not affect the water run-off or adversely impact the environment in a specific geographical area. Most states require their own wetland permitting process for projects in or affecting wetlands.

Environmental and Historic Preservation Considerations for Improved or Alternate Projects

When there is a project that is being improved for specific purposes, such as to bring the facility up to National or International Building Codes or Americans with Disabilities Act standards, the improvements and/or Alternate Project must be approved by the Recipient and FEMA before work can start.

An Alternate Project can be a relocation of a facility. The use of relocation may occur when a facility is in an area that has continuous damages over time and moving the facility to a new location will benefit all parties involved. To receive funding for relocation, the facility has to be subject to repetitive damage because of the location, the move cannot be barred based on other regulations, and the overall project must be cost effective. This type of Alternate Project often occurs when a facility is in a floodplain or coastal area. Alternate projects may require additional environmental and historic preservation review due to new location, change in footprint, etc.

Environmental and Historic Preservation Considerations for Known Historic District or Buildings Over 45 Years in Age

If the facility is listed in or meets the criteria to be listed in the National Register of Historic Places, and an applicable code or standard requires repair in a certain manner, costs associated with work to comply with that code or standard are eligible, even if repair costs exceed replacement costs. This is an exception to the regulatory requirement that when a facility is eligible for replacement, FEMA limits eligible costs to the less expensive of repairs or replacement.

The use of 45 years verses the defined 50 year requirement is based on some facilities that may have historical significance or facilities that are in an application or recognition process to become a historic property. Using the 45 year mark allows for some reasonability when dealing with disaster funding of facilities that may become historical.

Additional Environmental and Historic Concerns for the Public Assistance Applicant

Throughout all recovery operations, asking certain questions during each step of a project can help determine if an environmental or historic regulation will be involved. Although these are not the only questions to consider, some questions to start with include:

- Is the original project scope of work being changed?
- Does a regulating body need to be contacted?
- Is a permit needed?
- Is the facility NOT being returned to its pre-disaster conditions?
- Will earth be disturbed?
- Does the building/site/facility look old?
- Is the facility considered to be within a historical district, protected or preserved area, or an area of cultural significance?



Environmental and Historic Concerns During Early Disaster Process

During an event, a Preliminary Damage Assessment is completed by the Recipient in conjunction with Applicants. This may include State departments, local and county municipalities, Tribes, Territories, and certain non-profits.

Next, the Applicants are placed in the FEMA Grants Manager system. This is usually completed by State, Tribal or Territorial governing personnel.

FEMA evaluates eligibility for disaster damage grant funding at the beginning of this process and determines if an Applicant is eligible once they have received a Request for Public Assistance form in Grants Manager system.

A FEMA Program Delivery Manager is assigned to further assess eligibility throughout all activities related to the grant projects, along with accountability of compliance to Federal laws, regulations, mandates, and Executive Orders, including environmental and historic preservation requirements.

Environmental and Historic Concerns for the Exploratory Call (1 of 3)

The primary contact to an Applicant is from a FEMA Program Delivery Manager during an Exploratory Call. During this call the Program Delivery Manager needs to gather situational awareness about the Applicant's damage and the impact of the damages on the Applicant. The Program Delivery Manager gets this information through:

- **Preliminary Damage Assessment data:** This should show if there are environmental and/or historical properties involved in the damages
- Environmental and historic preservation issues identified through the Preliminary Damage Assessment or **Greensheet:** A Greensheet is a report based on environmental and historic preservation issues related to the disaster area. The Greensheet is researched and provided by environmental and historic preservation personnel assigned to a disaster from FEMA to account for and assure for compliance and awareness of environmental and historic preservation issues.
- **Applicant Profile:** An Applicant profile may show that there is involvement of environmental and historic preservation issues based on the Applicants operations, or the overall mission of the organization
- **Reviewing data on past disaster declaration data:** This allows for assessment of the experiences of the Applicant's staff and the Applicant's past disaster grant awards. It can also indicate past environmental and historic preservation issues that may not have been communicated to the Program Delivery Manager on a specific Applicant's damages.

Environmental and Historic Concerns for the Exploratory Call (2 of 3)

The Exploratory Call prepares the Program Delivery Manager and the Applicant for the Recovery Scoping Meeting. The information gathered during the call allows the Program Delivery Manager to provide tailored and effective customer service to meet the recovery priorities of the Applicant within the scope of the Public Assistance program.

The objectives of the Exploratory Call are to:

- Establish rapport between the Program Delivery Manager and the Applicant

- Gather information on the type of work or damage the Applicant may be claiming and identify specific damage or work that may involve historical and/or environmental properties
- Prepare the Applicant for the Recovery Scoping Meeting
 - Identify appropriate personnel to attend the Recovery Scoping Meeting; This can include environmental and historic preservation personnel, based on the answers to the questions
 - Provide information to tailor the Recovery Scoping Meeting: This can trigger Environmental and Historic Preservation Staff attendance at the meeting and potentially require more documentation to show if an Applicant's facility is historical or has environmental properties
- Schedule the Recovery Scoping Meeting

Environmental and Historic Concerns for the Exploratory Call (3 of 3)

During the Exploratory Call, the Program Delivery Manager will ask the Applicant the basic questions shown in the table. The Applicant's answers will trigger other questions within the Grants Manager system. The Program Delivery Manager can ask more questions to trigger further notifications to the environmental and historic preservation staff in the Grants Manager system. This will allow for environmental and historic preservation determinations during the Public Assistance processing during the early stages of the grant process.

Appendix: Special Considerations

Environmental and Historic Preservation

Questions for Applicant	Applicant Response
Will any proposed work change the pre-disaster condition of the facility, cause any additional ground disturbance, or impact any pristine or undisturbed area?	
Will any proposed work occur in a floodplain or in close proximity to waterways or waterbodies?	
Are any damaged facilities 45 years old or older?	

Environmental and Historic Concerns for the Recovery Scoping Meeting (1 of 3)

The Recovery Scoping Meeting is the first substantive meeting between the Applicant and FEMA and starts the 60-day regulatory timeframe for the Applicant to identify and report damage. It is a

detailed and in-depth meeting regarding the Applicant's disaster damages and the Public Assistance process.

Objectives of the Recovery Scoping Meeting include:

- Discuss the Damage Inventory, including Public Assistance general eligibility
- Discuss project formulation for categories of work
- Discuss logical groupings for sites that require inspections
- Discuss special considerations to include:
 - Environmental planning and historic preservation issues, which involves reviewing the FEMA Greensheet for a specific disaster area
 - Insurance requirements
 - Mitigation opportunities

Environmental and Historic Concerns for the Recovery Scoping Meeting (2 of 3)

Objectives of the Recovery Scoping Meeting (continued from previous page):

- Discuss documentation required to support the Applicant's claim: Provide documents that may show historical or environmental properties of the damaged facilities
- Utilize the Essential Elements of Information questionnaires to determine additional documentation or information needed: During the Essential Elements of Information questioning, other triggers will be provided based on environmental and historic preservation and other related questions
- Schedule Site Inspections: Site Inspections will quantify the environmental and historic preservation issues
- Utilize Essential Elements of Information questions to determine additional documents: The Essential Elements of Information questions will trigger other questions based on the responses
- Develop a Program Delivery Plan within the 60-day calendar

Environmental and Historic Concerns for the Recovery Scoping Meeting (3 of 3)

A FEMA Environmental and Historic Preservation Greensheet is a generalized document that is formulated by FEMA Environmental and Historic Preservation personnel assigned to a Disaster Response area. The Greensheet summarizes environmental and historical issues within the disaster affected areas and the specifics that FEMA will have to follow when operating and providing funding to complete recovery operations.

Greensheets will be discussed in more detail in Lesson 4.

[Select here for an example of a Greensheet for Florida.](#)

Environmental and Historic Concerns for the Recovery Scoping Meeting Related to Category A

This screenshot shows the environmental and historic preservation questions that the Program Delivery Manager sees in Grants Manager when doing a Recovery Scoping Meeting related to Category A.

The screenshot displays the Grants Manager interface for a Recovery Scoping Meeting. The main content area is titled "Recovery Scoping Meeting" and shows a list of questions related to debris removal. The questions are as follows:

- Was debris removed from a waterway and/or waterbody? Yes No
- Did any ground disturbance occur during debris removal or disposal? Yes No
- Does the debris contain household hazardous materials or asbestos containing materials? Yes No
- Was there coordination with, or a permit obtained from, the State Historic Preservation Office, Tribe, or the appropriate state agency? Yes No
- Did the debris removal, staging, and/or disposal occur within a cemetery? Yes No
- Is the final disposal located in a floodplain or wetland? Will the final disposal impact a floodplain or wetland? Can the disposal site be impacted by flooding? Yes No
- Is debris disposal occurring at any unpermitted sites? Yes No

Environmental and Historic Concerns for the Recovery Scoping Meeting Related to Categories C-G

This screenshot shows the environmental and historic preservation questions that the Program Delivery Manager sees in Grants Manager when doing a Recovery Scoping Meeting related to Category C-G.

When the Program Delivery Manager asks these questions and then produces an answer, further questions or triggers will be initiated. The additional questions are shown on the next page.

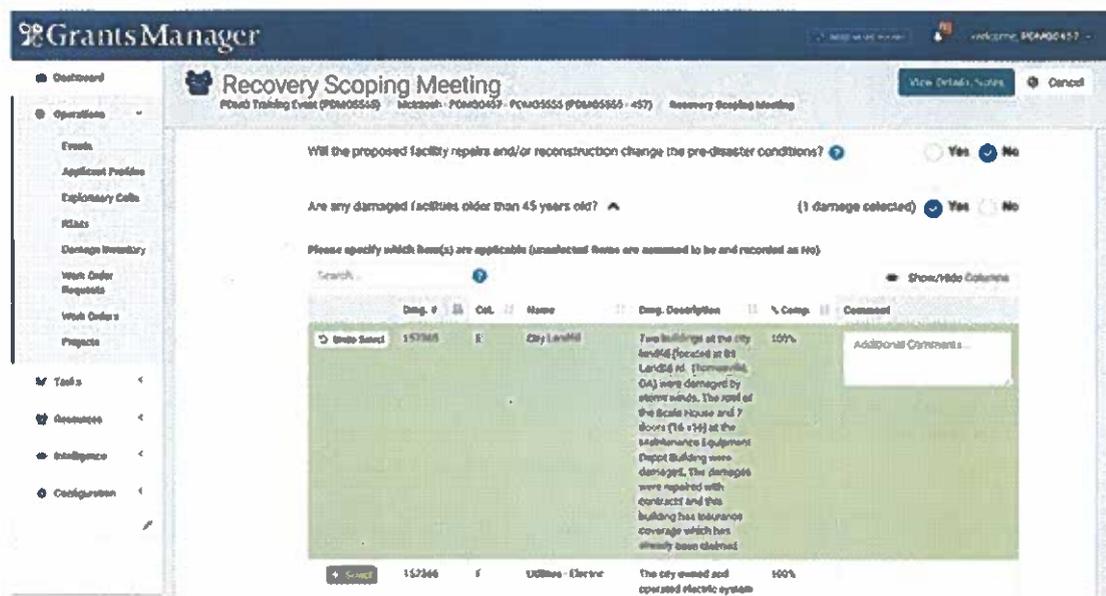
The screenshot displays the Grants Manager interface for a Recovery Scoping Meeting. The main content area is titled "Recovery Scoping Meeting" and shows a list of questions related to combined C-G damages. The questions are as follows:

- Were any facilities damaged by flooding? Yes No
- Is any work in water or within 200 feet of a waterway and/or waterbody proposed? Yes No
- Will the proposed facility repairs and/or reconstruction change the pre-disaster conditions? Yes No
- Are any damaged facilities older than 45 years old? Yes No
- Are any damaged facilities listed on a local, state, and/or national historic register or a locally recognized landmark? Yes No
- Are there any undeveloped areas on any sites? Yes No
- Are there any hazardous materials at or adjacent to any damaged facilities and/or proposed items of work (including any debris generated by restoration)? Yes No
- Are there any other environmental issues associated with the damaged facilities or proposed items of Yes No

Environmental and Historic Preservation Questions During the Recovery Scoping Meeting

One example of an environmental and historic preservation question during the Recovery Scoping Meeting is: "Are any damaged facilities older than 45 years old?"

This question is demonstrated here. Note how other questions or requests are also provided for the Program Delivery Manager to ask of the Applicant.



Essential Elements of Information Questions

After the Recovery Scoping Meeting, the Program Delivery Manager will formulate the damages and information from the Exploratory Call, Damage Inventory, and Recovery Scoping Meeting into a Grants Manager system and produce Essential Elements of Information. Here are some examples of Essential Elements of Information questions. Also, note the required documents.

5 Did any of the damage occur on a FHWA classified road? Yes No

Were the facilities damaged:

7 Buildings? Yes No 2 documents required

How many buildings were damaged? 2

Please provide a listing of all buildings and their ages.

Additional Resources

The following resources offer additional guidance for environmental and historic preservation considerations:

- FEMA IS-253a: Overview of FEMA's Environmental and Historic Preservation Review
- FEMA IS-1001: Public Assistance Delivery Model
- FEMA IS-1002: Public Assistance Grants Portal
- FEMA Environmental Planning and Historic Preservation Website
- FEMA Office of Environmental Planning and Historic Preservation website
- National Historic Preservation Act
- National Environmental Policy Act

Lesson 3 Summary

In this lesson, you learned how to:

- Identify the process FEMA uses to ensure the Applicant's project(s) comply with the National Environmental Policy Act
- Identify key opportunities to communicate environmental and historic preservation considerations throughout the Public Assistance process with FEMA staff and within the Grants Portal

The next lesson will discuss key stakeholders and resources for environmental and historic preservation coordination.

Lesson 4 Overview and Objectives

This lesson discusses key stakeholders and resources for environmental and historic preservation coordination. The lesson also covers FEMA/Recipient Disaster Greensheets, Greensheet content, and examples of stakeholder contact information that appears on the Disaster Greensheet.

At the end of this lesson, participants will be able to:

- Identify key stakeholders and resources at the Recipient and Federal level
- Describe the coordinating activities with partner agencies to ensure environmental and historic preservation compliance
- Explain the function, purpose, and information contained in FEMA/Recipient Greensheets

Key Stakeholders and Resources for Environmental and Historic Preservation Coordination (1 of 2)

To maintain seamless communication and coordination on grant projects, Applicants will coordinate with the Recipient and a FEMA Program Delivery Manager throughout all phases of the Public

Assistance grant development process. The FEMA Program Delivery Manager will coordinate with FEMA Environmental and Historic Preservation staff to ensure that environmental and historic preservation compliance requirements are met.

When necessary or upon request of the Applicant, the FEMA Program Delivery Manager will also coordinate FEMA Environmental and Historic Preservation Staff to communicate with and support Applicants during meetings and site visits to support the Applicant.



Select the following link for a [video about the coordination between the Applicant, Recipient, FEMA, and Recipient/Federal stakeholders.](#)

Key Stakeholders and Resources for Environmental and Historic Preservation Coordination (2 of 2)

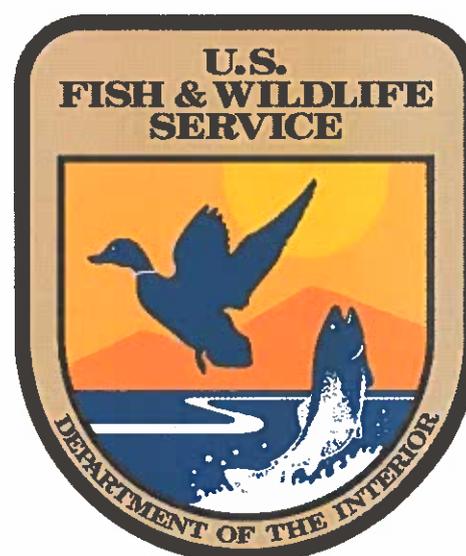
During the Recovery Scoping Meeting, the Applicant will receive a Greensheet from the FEMA Joint Field Office's Environmental and Historic Preservation Staff. The Greensheet is published by FEMA upon declaration of a national disaster in close coordination with the Recipient.

The Greensheet briefs the Applicant regarding potential environmental and historic preservation considerations within the declared area and compliance requirements tied to these considerations. The Greensheet also identifies Federal and Recipient stakeholders relevant to the specific disaster.

Federal Stakeholders

The Applicant will coordinate with all regulatory agencies to obtain appropriate permits or letters for compliance concerns. FEMA will coordinate with regulatory and management agencies, including Tribal groups to consider consequences of the actions.

The Applicant should utilize the Greensheet to support the recovery operation while communicating with the applicable Recipient/Federal stakeholders identified on the Greensheet and maintaining continuous coordination and communication with FEMA Program Delivery Managers, who will engage the FEMA Environmental and Historic Preservation staff to support needs. Continuous communication and coordination ensures environmental and historic preservation compliance throughout the Public Assistance grants process.



Examples of Federal Agency Stakeholder Coordination

Stakeholder coordination will be necessary to receive Public Assistance funding for any project and will also be needed throughout the entire grant program lifecycle. Stakeholder coordination for environmental and historic preservation compliance will include the following types of tasks:

- Monitoring and tracking compliance
- Determining project-specific conditions
- Supporting written documentation
- Consulting with interested parties

The Applicant is responsible for obtaining clearance to proceed with the scope of work from respective regulatory agencies in the form of a permit or letter/email. FEMA's coordination with partner agencies is to consider the consequences resulting from scope of work on protected resources. FEMA stipulates conditions on grants because of concerns for protected resources as present by the partner agencies.



Example of Federal Agency Stakeholder Coordination: Monitoring and Tracking Compliance (1 of 2)

Here is an example of the stakeholder coordination involved with monitoring and tracking compliance:

A major disaster has occurred within a community. The event has generated an extensive quantity of debris. The Applicant is executing their Debris Management Plan and has a properly procured contractor to remove the debris. The Applicant is also opening a temporary staging and reduction site area where debris will be managed. Vegetative debris will be burned as the method of reduction.

The Applicant will need to do the following as a program monitoring and tracking requirement and to show environmental and historic preservation compliance:

1. Debris trucks will need to be monitored to ensure the debris collected is in the public right of way or in public spaces with no additional impact to the environment or historical interests.
2. Debris will be hauled to the established Temporary Debris Staging Site.
3. The Applicant must obtain a permit from the Recipient's Department of Environmental Protection or Department of Natural Resources prior to opening the site to demonstrate no environmental impact.

Example of Federal Agency Stakeholder Coordination: Monitoring and Tracking Compliance (2 of 2)

3. Debris will need to be measured by weight or estimated cubic yardage entering the Temporary Debris Staging Site where it will then be reduced.
4. For reduction, additional considerations apply, and the Applicant should consult with their respective Recipient agencies and obtain appropriate permits.
 - For this example: The Applicant has selected to burn vegetative debris at the site and haul away the ash
 - The Applicant must obtain from a State environmental regulatory agency for waste management a burn permit
5. The Applicant will need to close the temporary staging in compliance with the regulatory agency and obtain documentation from agency that staging area was appropriately closed.
 - The Applicant is responsible for providing documentation that the debris went to a permitted landfill site
 - Debris operations stipulate that the Applicant will be responsible for demonstrating compliance and disclosing records of compliance, including the removal efforts used from beginning to end of the project through monitored, tracked, and permitted work

Example of Federal Agency Stakeholder Coordination: Determining Hazard Mitigation Incident-Specific Conditions

A community has had an issue with a 36-inch diameter culvert pipe, which continues to wash out and destroy the road during every significant rainfall event. The road accesses a community with several dozen homes. The residents are continuously frustrated with their loss of access out of the neighborhood. The Applicant's road department is continuously frustrated with the constant repair and expense.

The latest round of storms has resulted in a FEMA Public Assistance major disaster declaration. As a method of repair, the Applicant plans to request a hazard mitigation proposal to elevate the roadway and install a 72-inch diameter culvert pipe to handle more water and prevent future washout.

The new culvert is double the size of the existing one and to complete the work, a hydrologic and hydraulic study needs to be completed. The purpose of the hydrologic and hydraulic study is to identify any potential impacts to the overall drainage and hydrology at the site or in the surrounding areas upstream and downstream. If the hydrologic and hydraulic study shows there are impacts to other areas upstream or downstream, then hazard mitigation proposal would need to be revised to ensure that there are no impacts.

Visit Independent Study Course IS-1014 Integrating 406 Mitigation Considerations into Your Public Assistance Grant course which provides additional information and guidance related to the 406 Hazard Mitigation Program.

Example of Federal Agency Stakeholder Coordination: Supporting Written Documentation

A recent flash flood event had county wide impacts to include the rural areas. The rural areas are comprised of miles of gravel roads and many roadways were completely washed out. As a result, a significant amount of gravel will need to be applied to the roads to restore to pre-disaster condition.

The Applicant proceeds to do the work and supplies invoices for the repairs during Public Assistance grant development. A review of the invoices show that the material purchased was washed river rock. The invoice indicates that the material may have been excavated from a body of water. The Applicant will need to demonstrate the location of the quarry and for materials excavated from a water source, disclose permits to excavate the rock.

Example of Federal Agency Stakeholder Coordination: Consulting with Interested Parties (1 of 2)

An example of statutory exclusion pursuant to the National Historic Preservation act for protection of life and property – emergency situation.

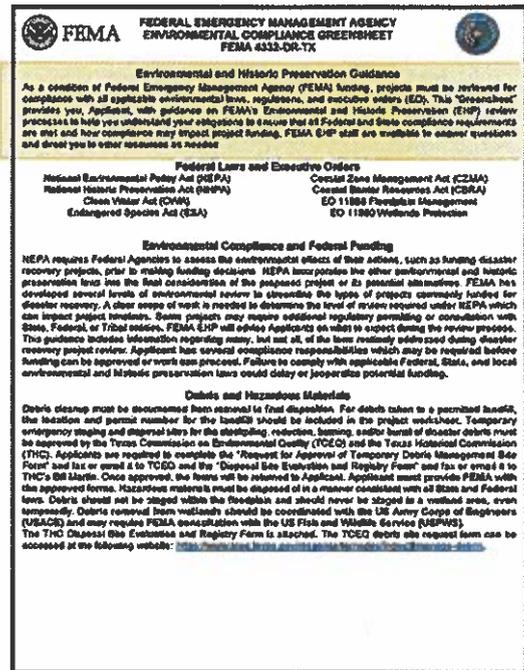
During the recent severe weather outbreak, an EF4 rated tornado moved directly through the center of town. Prior to the disaster, the Applicant had purchased the old Coca-Cola bottling plant (built in 1909) and converted it into a functioning community and event center. The impact of the tornado destroyed the roof and collapsed two of the four exterior walls.

A county engineer has assessed the site and determined the remaining two walls are imminent collapse hazards. The remaining two walls parallel a public sidewalk and the Applicant initially considers sending the public works crew to the site to knock down the remaining two walls to render the site safe. Prior to doing so, the Applicant representative contacts the Program Delivery Manager. The Program Delivery Manager arranges a site visit with the Environmental and Historic Preservation staff, who document the site and initiate coordination with the State Historic Preservation Office.

Example of Federal Agency Stakeholder Coordination: Consulting with Interested Parties (2 of 2)

The State Historic Preservation Office, along with FEMA environmental and historic preservation staff provides the Applicant with the following guidance during that call:

1. The Applicant must postpone demolition for the building and its damage to be properly photographed and documented for the State historical archives
2. To render the site safe, the State Historic Preservation Office advises the Applicant to fence off the area a safe distance from the collapse hazard to eliminate the threat
3. Guidance is provided for the salvage of any usable materials or components of the destroyed building for possible repurposing or reuse.

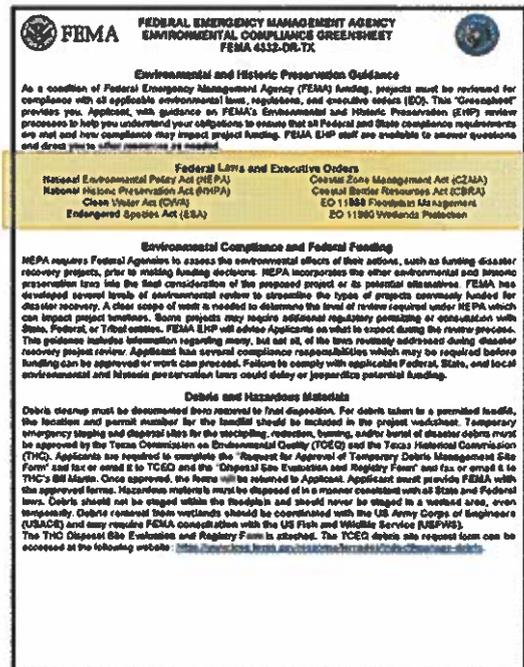


Greensheet Example (2 of 3)

Greensheets will include a section describing the Federal laws and Executive Orders affecting the area, such as the one shown here.

The laws and orders applicable to this Greensheet include:

- National Environmental Policy Act
- National Historic Preservation Act
- Clean Water Act
- Endangered Species Act
- Coastal Zone Management Act
- Coastal Barrier Resources Act
- Executive Order 11988 Floodplain Management
- Executive Order 11990 Wetlands Protection
- Federal Funding



Greensheet Example (3 of 3)

The Environmental Compliance and Federal Funding section of this Greensheet states that:

In this course, you learned how to:

- Explain the role of FEMA's Environmental and Historic Preservation staff in conjunction with the Public Assistance Program
- Explain the importance of early identification of environmental and historic preservation compliance considerations that Applicants may face in the post-incident environment
- Explain how environmental and historic preservation considerations affect the decision-making process to develop compliant scopes of work
- Identify key stakeholders and resources that Applicants will coordinate with to ensure compliance with environmental and historic preservation requirements

Lesson 1 Objectives

Lesson 1 provided an introduction to the environmental and historic preservation regulations that impact Applicants of the FEMA Public Assistance grant program.

You should now be able to:

- Identify administrative requirements of the course
- State the goals and objectives of the course
- Explain environmental and historic preservation compliance
- Discuss the purpose of the environmental and historic preservation review process in the Public Assistance Program

Lesson 2 Objectives

Lesson 2 discussed Federal laws, statutes, Executive Orders, and regulations for environmental and historic preservation, including the National Environmental Policy Act and the National Historic Preservation Act.

You should now be able to:

- Identify the foundational laws, regulations, statutes, and Executive Orders for environmental and historic preservation
- Describe the impacts of lack of compliance with environmental and historic preservation regulations

Lesson 3 Objectives

Lesson 3 explained the processes FEMA uses to ensure an Applicant's project complies with the National Environmental Policy Act and the National Historic Preservation Act, along with additional general and environmental concerns an Applicant should be aware of.

You should now be able to:

- Identify the process FEMA uses to comply with the National Environmental Policy Act
- Identify key opportunities to communicate environmental and historic preservation considerations throughout the Public Assistance process with FEMA staff and within the Grants Portal

Lesson 4 Objectives

Lesson 4 discussed key stakeholders and resources for environmental and historic preservation coordination.

You should now be able to:

- Identify key stakeholders and resources at the Recipient and Federal level
- Describe the coordinating activities with partner agencies to ensure environmental and historic preservation compliance
- Explain the function, purpose, and information contained in FEMA/Recipient Greensheets

Course Summary

Congratulations! This course is complete.

This course provided information on all aspects of environmental and historic preservation compliance as related to the Public Assistance Program.