

Federal Emergency Management Greensheet

Environmental and Historic Preservation and Disaster Recovery

As you start the recovery process from your recent disaster there are certain requirements related to environmental and historic preservation that must be addressed. The information described in this packet will help you proactively identify issues and avoid funding delays.

The most important message is that the FEMA Environmental Planning and Historic Preservation (EHP) staff is committed to helping you identify and meet your environmental compliance responsibilities.

Please identify any potential EHP issues and discuss these with the environmental staff as soon as possible. This will help streamline the environmental review process.

Sincerely,

-FEMA Region 3 EHP Team



FEMA



Environmental and Historic Preservation Requirements

Compliance with environmental laws and executive orders apply to all FEMA-funded projects. Most disaster related projects can be reviewed quickly. However, certain types of projects or those with unique EHP issues will require coordination with FEMA and the appropriate state and federal agencies. Remember, applicants are responsible for complying with all local, state and federal laws that apply to their project.

Projects requiring an in-depth environmental review must be approved prior to starting any construction or repair.

Obtaining permits is the responsibility of the applicant or person performing the work and must be done prior to initiating any site activity, with the exception of emergency actions that address immediate threats to life or property, in which case the regulatory agencies should have been notified and documentation of the communication submitted for review.

Projects with Limited EHP Review

- Emergency protective measures
- Debris removal to licensed landfill
- Repair to pre-disaster condition
- Replacement of damaged supplies and equipment
- Projects involving work in water, including streams and wetlands

Projects with In-Depth EHP Review

- Projects involving facilities over 50 years old
- Projects involving hazard mitigation
- Projects involving threatened or endangered species
- Projects involving new ground disturbance (including tree removal)
- Projects involving work in water, including streams and wetlands
- Alternate or improved projects
- New construction

Debris Disposal and Hazardous Materials

Debris disposal can be a major concern following a disaster. Applicants must coordinate with the Delaware Department of Natural Resources and Environment (DNREC) when establishing temporary debris staging or storage sites, considering debris burning, disturbing asbestos or disposing of hazardous waste.

Temporary debris storage, reduction or separation areas should not be placed on undisturbed ground or in the floodplain. Applicants are not required to contact DNREC, nor obtain approval or permits for solid waste debris taken to a licensed facility within the district.

Please note: Applicants must provide EHP with documentation showing final debris disposal locations.

Threatened and Endangered Species



Northern long-eared bat / USFWS

Under Section 7 of the Endangered Species Act, FEMA must consult with the US Fish and Wildlife Service when FEMA-funded activities have the potential to affect federally listed threatened or endangered (T&E) species. Certain disaster recovery activities, including tree removal, new ground disturbance, work in water, and work in and around mines, caves, or bridges, have the potential to impact T&E species. **Consultation must be done before work on a project has started.** FEMA EHP staff will work with applicants if their projects have the potential to impact T&E species. **More information can be found at the following link:**

<https://www.fws.gov/chesapeakebay/>

Work in Water

Applicants should take extra care with projects that are in and around waterways and wetlands. **Many activities require permits**, including debris removal, bridge work, culvert replacement, embankment stabilization, utility repairs, and dredging/filling.

DNREC issues state permits and can help determine the need for an individual permit from the US Army Corps of Engineers (USACE). For more information on permits see DNREC contact information.

Floodplains



Wetlands/ DE DNREC

Executive Order 11988 requires FEMA to review all projects for the potential to affect, or be effected by, the floodplain. For projects that take place in floodplain, FEMA must seek ways to avoid, minimize or mitigate to the extent possible, long and short term impacts associated with occupancy and modification of a floodplain. For additional information about working in a floodplain contact your local floodplain administrator.

Wetlands

Executive Order 11990 requires FEMA to review proposed projects to evaluate the potential to affect a wetland. The applicant may be required to obtain a permit from DNREC and/or the United States Army Corps of Engineers. Debris should not be stored in a wetland, even temporarily. Debris removal from a wetland must be coordinated with USACE and USFWS.

You can assist the EHP review process by providing:

- Complete and accurate scope of work which details materials and methods to be used
- Location of work, including address and accurate GPS coordinates
- Dates of construction for all built structures if known, e.g. buildings, bridges
- Clear, color photos which identify scale and location of damage and/or repair
- Copies of permits for completed work. ***Note that it is the responsibility of the applicant to obtain permits for work in water or development within the floodplain prior to construction.***
- Copies of existing coordination and/or agreements with state and federal agencies that are applicable to the work being performed
- A site map showing limits of ground disturbance and location of construction/staging areas
- Copies of engineering and design plans required to perform the work

Historic Preservation

If potential historic concerns are addressed early, FEMA EHP staff can assist in identifying measures to avoid, minimize or limit adverse effects on historic properties. It is important to be proactive and involve FEMA EHP staff early in the process if historic properties may be involved. **Please note that work should not begin until EHP review is completed.**

Historic Structures



Text Before work begins, FEMA is required by Section 106 of the National Historic Preservation Act to take into account the impacts of its activities on historic properties. Some historic properties are very obvious, others less so. Any building, structure, object, site or district that is fifty years or older may be eligible for listing in the National Register of Historic Places. These potentially-historic properties must be evaluated by qualified FEMA EHP staff and may require consultation with the District of Columbia State Historic Preservation Officer (SHPO). Historic properties can include structures such as walls, culverts and bridges, as well as buildings. Additionally, projects which take place in or near historic districts may require FEMA to consult with the SHPO.

Archaeology

Archaeological resources need to be considered for projects with ground disturbance. Any proposed project which alters a previously undisturbed area (e.g. utility relocation, road realignment, construction of new facilities or preparation of debris staging, stockpiling or burning sites) must be reviewed by FEMA EHP staff and the SHPO for archaeological concerns.

Contact Information

- **FEMA Region 3**
Tessa Nolan | Regional Environment Officer (267) 239-6850 | tessa.nolan@fema.dhs.gov
- **DE Department of Natural Resources and Environmental Control**
89 Kings Highway Dover, DE 19901 | (302) 739-9000 | <http://dnrec.alpha.delaware.gov>
- **DE State Historic Preservation Office**
(302) 736-7400 | <http://history.delaware.gov/preservation>
- **US Army Corps of Engineers- Philadelphia District**
(215) 656-6728 | <https://www.nap.usace.army.mil/>
- **US Army Corps of Engineers- Baltimore District**
2 Hopkins Plaza | Baltimore, MD 21201 | (800) 434-0988 | <http://www.nab.usace.army.mil/>
- **US Fish and Wildlife Service Chesapeake Bay Field Office**
177 Admiral Cochrane Drive Annapolis, MD 21401 | (410) 573-4599 | www.fws.gov/chesapeakebay/