

MISSOURI DISASTER

CONTACTS

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

FEMA

Robert L. Beardsley
Acting Regional Environmental Officer
robert.beardsley@fema.dhs.gov
(816) 283-7942

STATE HISTORIC PRESERVATION OFFICE (SHPO)

Toni Prawl, PhD, Director
Judith Deel, Compliance Coordinator
Amanda Burke, HP Specialist
P.O. Box 176
Jefferson City, MO 65102
1-800-361-4827 / 573-751-7858
<http://dnr.mo.gov/shpo/index.html>

U.S. FISH AND WILDLIFE SERVICE (USFWS)

Karen Herrington, Field Supervisor
Columbia Ecological Services Field Office
101 Park Deville, Suite A
Columbia, MO 65203
(573) 234-2132
<http://www.fws.gov/midwest/ColumbiaES/>

MISSOURI DEPARTMENT OF CONSERVATION (MDC)

Endangered Species information:
<https://nature.mdc.mo.gov/status/endangered>
Heritage Review:
<https://naturalheritagereview.mdc.mo.gov/>

MISSOURI DEPARTMENT OF PUBLIC SAFETY (DPS)

State Emergency Management Agency (SEMA)
2302 Militia Drive
Jefferson City, MO 65101
<http://sema.dps.mo.gov/>

Karen McHugh, CFM
Floodplain Management Section Manager / State NFIP Coordinator
Phone (573) 526-9129
Karen.McHugh@sema.dps.mo.gov
<http://sema.dps.mo.gov/programs/floodplain/>

U.S. ARMY CORPS OF ENGINEERS (USACE)

Kansas City District
<http://www.nwk.usace.army.mil/Missions/RegulatoryBranch.aspx>

Memphis District
<http://www.mvm.usace.army.mil/About/Offices/Regulatory.aspx>

St. Louis District
<http://www.mvs.usace.army.mil/Missions/Regulatory.aspx>

USDA - Natural Resource Conservation Service (NRCS)

Parkade Center, Suite 250
601 Business Loop 70
Columbia, MO 65203
(573) 876-0900

Contacts:
<http://www.mo.nrcs.usda.gov/contact/>
Roger A. Hansen, State Conservationist
Harold L. Deckerd, Assistant State Conservationist- Water Resources

UNIVERSITY OF MISSOURI EXTENSION

<http://extension.missouri.edu/main/DisplayCategory.aspx?C=3>

Emerald Ash Borer

<http://extension.missouri.edu/emeraldashborer/about.aspx>

MISSOURI DEPARTMENT OF AGRICULTURE

Plant Pests

<http://agriculture.mo.gov/plants/pests/>

Collin Wamsley, State Entomologist
collin.wamsley@mda.mo.gov
573-751-5505

MISSOURI DEPARTMENT OF NATURAL RESOURCES

<http://www.dnr.mo.gov/disaster.htm>

Department of Natural Resources
P.O. Box 176
Jefferson City, MO 65102
800-361-4827
573-751-3443
E-mail: contact@dnr.mo.gov

Contact Information

<http://www.dnr.mo.gov/contacts.htm>

MoDNR Permit Assistant

<http://dnr.mo.gov/mopermitassistant/index.jsp>

STATE RECOVERY RESOURCES

<https://recovery.mo.gov/>



MISSOURI DISASTER DR-4317-MO FEDERAL EMERGENCY MANAGEMENT AGENCY ENVIRONMENTAL CONSIDERATIONS GREENSHEET



Environmental and Historic Preservation and Disaster Recovery

As you repair and rebuild your communities, environmental and historic preservation concerns may seem unimportant. However, as with all federal funding, certain requirements related to the environment must be fulfilled. This brochure is provided to help you better understand environmental factors that you must consider as you apply for FEMA funding.

The information and assistance described here will help avoid any environmental roadblocks or time delays.

The most important message is that we are available to help you with all environmental requirements. Contained here are facts,

procedures, and contacts to help you through the process.

Please identify any potential environmental concerns or problems and discuss these with our Joint Field Office (JFO) environmental staff as soon as possible. This will help us address issues and expedite funding.

We are working under the direction of FEMA Federal Coordinating Officer, Michael Parker. We also coordinate closely with State of Missouri Emergency Management Agency, (SEMA).

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

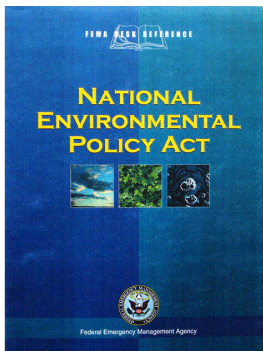


SEMA or FEMA Public Assistance for any environmental or historic preservation assistance.

Sincerely,

Robert L. Beardsley
Acting Regional Environmental
Officer

robert.beardsley@fema.dhs.gov
(816) 283-7942



Environmental Laws and Project Requirements

In addition to NEPA, listed below are the other primary environmental laws and executive orders that come into play when rebuilding or replacing a "public assistance" facility. Some activities can proceed without environmental or historic review, others require some environmental consideration, and in some of the major projects, consultation with the State and FEMA is necessary before construction begins.

FEMA and SEMA should be advised of any changes to project scope or scheduling immediately, and plans forwarded as soon as they are developed.

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

Federal Laws

National Historic Preservation Act
Endangered Species Act
Clean Water Act (especially Section 404)
Wild and Scenic Rivers Act
Executive Order for Wetlands Protection
Executive Order for Floodplain Protection
Executive Order for Environmental Justice

Some projects proceed without detailed review

Emergency Protective Actions and Debris Removal
Repairs to pre-disaster condition or temporary repairs (unless 50 years old)

Some projects require an environmental review

Debris disposal
Where the project footprint is different than pre-disaster conditions
Involving hazard mitigation
Involving threatened or endangered species, wetlands or floodplains

Some projects require review and consultation

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

MISSOURI DISASTER



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

Waterways, Including Culverts and Bridges

Repair to previously authorized serviceable structures deviating from their original dimensions in any way (i.e. size, length, depth, profile, type, etc.) may require a new or modified permit from the U. S. Army Corps of Engineers (USACE). The Missouri Department of Natural Resources (DNR) and USACE has a coordination/joint application process. Refer to the DNR and USACE websites for relevant information. Grouted riprap is not allowed and ALL low water crossings will be looked at for fish passage requirements, as defined in Missouri Regional Conditions.

The Clean Water Act and The U.S. Rivers and Harbors Act apply to actions

affecting waters of the United States. This includes any part of the surface water tributary system (natural waters including small streams, lakes, and wetlands) as well as isolated man-made waters. The U.S. Army Corps of Engineers administers both laws. Examples of actions requiring permits include any construction, demolition, and any dredging or filling in any part of surface water tributaries or systems including cutting roads, and repair of damaged facilities.

For all culvert work, if no permit is required, at a minimum, signed documentation of a telephone call to the USACE and DNR is required and should be provided to the FEMA project officer.



Floodplains

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

Local floodplain management permits are often needed from the local floodplain administrator.

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

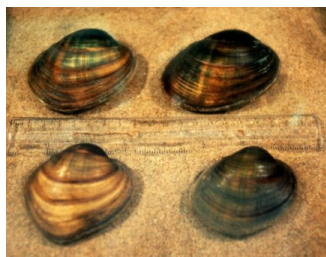
Wetlands

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

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

The DNR is a good source for finding out the detailed requirement for work involving wetlands.

Threatened and Endangered Species



Higgins eye pearly mussel

Projects that might affect threatened or endangered species must be coordinated, and impacts avoided, under the Endangered Species Act. **Endangered species** are in danger of extinction throughout the area in which they usually occur. **Threatened species** are those that could become endangered in the near future. Missouri has numerous federally endangered, threatened, or candidate species. Nearly all counties included in disaster areas have at least one of these species. It is very important to know whether a proposed project might impact a critical habitat of one of these species. Critical habitats may be located in or near water or forested areas, but may also be fields or road edge. Applicants should contact experts at the Missouri Department of Conservation, the U.S Fish and Wildlife Service and FEMA who can help determine if a critical habitat is potentially impacted by a proposed project. For a full listing of Threatened and Endangered Species in the counties included in disaster area consult the following:

<http://www.fws.gov/midwest/endangered/lists/missouri-cty.html>

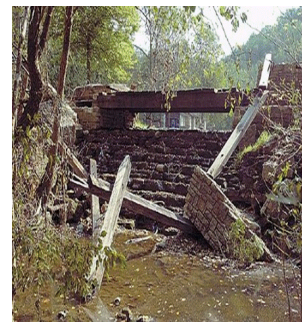
Historic Preservation and Tribal Relations

Some historic resources are very obvious, others less so. Any structure (e.g., buildings, walls, bridges, culverts) **50 years old** or more may be eligible for the National Register of Historic Places. These structures must be reviewed by FEMA and the MO State Historic Preservation Office (SHPO).

Archaeological resources also require special attention. Paramount among these are Tribal resources, of which Missouri has a rich legacy. Any proposed project which alters a previously undisturbed area (e.g., relocating a utility, road realignment, a

material borrow area for construction, or preparation of debris staging, stockpiling or burning sites) must be reviewed by FEMA and the MO SHPO for archeological concerns. Land that has been plowed or used for agriculture is not considered previously disturbed and must be evaluated.

Different measures can be taken if historic resources are affected. It is important to involve FEMA and the MO SHPO offices to make these determinations, and to decide what measures, if any, are to be taken.



CCC-era dam damaged

Debris Disposal and Hazardous Materials

For any debris removal projects, applicants must follow the disposal guidance provided by the Missouri Department of Natural Resources (DNR). The guidance is available at <http://www.dnr.mo.gov/disaster.htm>

or from the DNR Regional Solid Waste Management Program Staff.

No contact, approval or permits are needed to take solid waste debris to a licensed landfill or approved construction and demolition landfill. If sandbags have been used, information on how to properly dispose of them is in the guidance listed above.

Burning vegetative debris needs to be done in accordance with applicable DNR requirements. DNR Air Pollution Control Program has issued a fact sheet on burning that is available at: dnr.mo.gov/pubs/pub2047.htm.

An electronic version of the permit application for burning debris (outside St. Louis) is located at: dnr.mo.gov/forms/780-1941-f.pdf

An electronic application for the St. Louis area is located at:

<http://dnr.mo.gov/forms/780-1840.pdf>

The applicant is responsible to comply with burn regulations, including obtaining and complying with permits and conditions established by the permits.

Some counties are within Emerald Ash Borer quarantine area and have severe restrictions on debris removal to prevent further spread of Emerald Ash Borer; this is regulated by U.S. Department of Agriculture. Subgrantees in quarantine area will be required to demonstrate compliance with Emerald Ash Borer restrictions for debris.



Emerald Ash Borer Quarantine is in effect in several counties in Missouri for more information:

<http://extension.missouri.edu/emeraldashborer/about.aspx>

Other Considerations



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



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



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