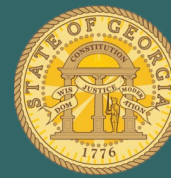


FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ENVIRONMENTAL PLANNING AND HISTORIC PRESERVATION (EHP) GREENSHEET FOR DR-4600-GEORGIA



INTRODUCTION

FEMA eligibility review for funding projects require compliance with environmental planning and historic preservation laws and Executive Orders (EOs). Early identification of projects with potential compliance issues and coordination with appropriate federal, state, tribal, and local regulatory agencies is needed to anticipate and expedite review, approval, and funding of projects.

FEMA's Environmental Planning and Historic Preservation (EHP) specialists are available to assist you, the subrecipient, in gathering information for informed decision-making during project development and implementation. EHP provides technical assistance and support through the Public Assistance (PA) Program Delivery Manager (PDMG) or other designated points of contact (POCs). Should you have questions regarding your project please direct those questions to the designated PDMG and the State Emergency Management Agency's designated POCs who will in turn advise the assigned EHP specialist.

ALL PROJECTS REQUIRE EHP COMPLIANCE REVIEW

NOTE: Even if a project repairs a facility back to pre-disaster condition, federal, state, and local laws still apply. The following often require additional documentation or request for information:

Involving improved projects, new construction, hazard mitigation, or scope of work (SOW) changes.

Affecting buildings, structures, sites, objects, or districts that are 45 years or older, historic landmarks of any age and any work resulting in soil movement or change to the pre-disaster footprint.

Work near or within a special flood hazard area (regulatory floodway or 1% annual chance flood zone [100-year], or critical actions in the 0.2% annual chance flood zone (500-year).

Work in or near environmentally sensitive areas such as barrier islands, conservation easements, fish hatcheries, preserves, state and national parks, and wildlife management areas.

Work in or near beaches, canals, lakes, rivers, streams, designated critical habitats, wetlands, or other bodies of water including fishing piers.

Staging and disposal / recycling of debris including, but not limited to vegetative, construction/demolition, and hazardous

TIPS TO NAVIGATE THE COMPLIANCE PROCESS

Obtain any necessary permits prior to construction. FEMA does not obtain permits. Failure to obtain applicable permits may jeopardize federal funding.

If you have existing permits, provide copies to your designated PDMG. FEMA may be able to expedite the EHP compliance review based upon existing and applicable permit documentation.

If you are unsure whether you need permits, use the contact information on the last page. Document and keep copies of any correspondence with federal or state agencies regarding permits. Attach those copies to your grant application.

Adhere to permit conditions for implementing work and utilize identified best management practices. Verify conditions met if work is completed.

EHP compliance reviews may require detailed information for assessing potential impacts. A complete and clear scope of work will minimize any clarification requests.

Providing maps or sketches of work details, site plans, area descriptions, and minimization measures (not mitigation) for proposed or completed work is very informative and cuts down on requests for information (RFI) from EHP.



CHECKLIST ITEMS

INFORMATION NEEDED FOR MOST PROJECTS:

GPS Coordinates

- Decimal degrees to five decimal places for all damaged sites
- If over 200 feet in length, the start and end coordinates
- All debris temporary staging sites
- Final disposal sites
- Source(s) of fill material (soil, gravel, rip-rap, etc.)

Dates of Construction

- All structures and buildings
- Format: Circa year, or exact built date
- Renovation dates: exterior, interior

Ground Disturbance

- Include the length, width, and depth descriptions
- Any vegetation removal and how many cubic yards?
- Within existing footprint or right-of-way?

HELPFUL DOCUMENTS/INFO TO PROVIDE:

- Site/Design Plans
- Photos of before and after damages
- Maps with ground disturbance locations identified
- Expected start and end dates
- Correspondence with regulatory authorities such as:
 - Local floodplain manager
 - U.S. Army Corps District Office(s)
 - Other state agencies such as natural resources/environmental/health departments
- Details on flood risk minimization measures and any alternatives considered

COLLECTION, REMOVAL, AND DISPOSAL OF DEBRIS:

Temporary Debris Staging & Reduction Sites (TDSR)

- Type of surface (paved, gravel, crop fields, etc.)
- Method of reduction (chipping, burning, etc.)
- Provide any permitting documents (email, letter, or form is acceptable)

Final Disposal or Disposition of Debris

- Permitted landfill, recycling or composting site ID or Permit Number
- Burn approval from state agency
- Chipping final location
- Identify any transformers, oil, or other specials or hazardous waste

Collection, Transport, and Road Clearing

- Provide appropriate documents for cross state transport
- Method of clearing (cutting and tossing, scraping)

EMERGENCY AND TEMPORARY WORK:

Sandbagging Operations

- Disposal location if sandbags were flood impacted
- If storing sandbags for further use, provide GPS coordinates of location

Emergency Sand Scraping and Beach Berms

- Provide any US Army Corps of Engineer Coordination Documents
- Verification that permit conditions were met
- Document if the project is temporary or permanent (if permanent, was it pre-existing?)
- Date of work was completed (month, year)
- For scraping, report if the sand was cleaned

Vector Control (Mosquito Abatement)

- See available Mosquito Abatement Quick Guide

QUICK GUIDES AVAILABLE UPON REQUEST

- | | |
|--------------------------------|----------------------------|
| Disaster-wide Public Notice | Beaches Quick Guide |
| Bioengineering Quick Guide | Debris Removal Quick Guide |
| Piers Quick Guide | Work-in-Water Quick Guide |
| Roads and Bridges Quick Guide | Floodplain Quick Guide |
| Mosquito Abatement Quick Guide | |

STATE SPECIFIC GUIDANCE DOCUMENTS

NOTE: This checklist may not fully apply to your projects and some states, regions, and districts require specific documents. Request additional information or send questions to your FEMA and GEMA designated Point of Contacts.

CONTACTS AND RESOURCES

FEMA:

Felicia Feagin
Infrastructure Branch Director
Email: felecia.feagin@fema.dhs.gov
Phone: 919-628-6586

Ben Pollack
Environmental and Historic Preservation Advisor
Email: ben.pollack@fema.dhs.gov
Phone: 202-679-4429

Derek Fellows
406 Hazard Mitigation Assistance
Email: derek.fellows@fema.dhs.gov
Phone: 770-220- 8767

GEMA:

Valarie Grooms
Deputy State Coordinating Officer
Email: Valarie.grooms@gema.ga.gov
Phone: 404-640-8642

Stephen Clark
State Hazard Mitigation Officer
Email: Stephen.clark@gema.ga.gov
Phone: 404-217-3942

GRANTS PORTAL:

<https://grantee.fema.gov/>

STATE AGENCIES:

GA Department of Public Health

State of Georgia Building, 2 Peachtree St. Unit 5
Atlanta, GA 303003
Dph.georgia.gov
404-657-2700

Georgia Environmental Protection Division

2 Martin Luther King, Jr. Dr.
Suite 1456, East Tower Atlanta, GA 30334
404-656-4713
<https://epd.georgia.gov/>

Georgia Forestry Commission

GA Forestry Commission Headquarters
5645 Riggins Mill Road
Dry Branch, GA 31020
1-800-428-7337

FEDERAL AGENCIES:

NOAA National Marine Fisheries (NMFS)

Protected Resources Division and Habitat Conservation
Division

263 13th Avenue South
Saint Petersburg, FL 33701
727-824-5312

<http://sero.nmfs.noaa.gov/pr/pr.htm>

United States Fish and Wildlife Service (USFWS)

North Georgia Office (Athens)
355 East Hancock Ave. (mailing address)
Room 320 Athens, GA 30601
706-613-9493

<http://www.fws.gov/athens/>

United States Army Corps of Engineers (USACE)

Savannah District Office
912-652-5893

Website-<https://www.sas.usace.army.mil/>

Email-: cesas-rd@usace.army.mil

Georgia Emergency Management Agency **Debris Removal Quick Guide**

Please review the following guidelines for reimbursement of debris removal costs you may incur as a result of the Severe Storms from March 25 to 26, 2021. The Georgia Emergency Management Agency (GEMA/DHS) is providing this information early in an effort to inform applicants on requirements for removing debris and reimbursement.

1. **The Public Assistance Guidance** states:

- a. **Debris Removal** may be eligible for PA Program assistance in the disaster area when there is a serious threat to lives, public health and safety, it eliminates the immediate threat of damage to improved property, or it assists the economic recovery of the community-at-large.
- b. FEMA may reimburse reasonable costs associated with debris removal, such as overtime labor, disposal fees, monitoring costs, equipment costs, material costs, or contract costs. Contracts must comply with Federal (44 CFR Part 13), State, and local procurement standards.

2. **Eligibility Requirements**

- a. You must be an **Eligible Applicant** as defined by 44 CFR 206.221 and 44 CFR 206.222 and have the legal responsibility to be reimbursed for debris removal. Additional information is available in the PAPG.
- b. Debris was generated by the disaster event and is located on your improved property or right-of-ways.

3. **Permitting and Documentation Requirements**

- a. Debris volume (preferred unit of measure cubic yards).
- b. Source documentation (e.g. timesheets, work logs, equipment use logs, receipts, and load tickets, monitoring logs, contracts, mutual aid agreements).
- c. Final disposal location of debris (e.g. permitted landfill, recycling, etc).
- d. If using a **temporary staging area**:
 - i. Contact EPD regional office for assistance in determining site suitability, if not using pre-determined debris staging locations.
 - ii. Must not be located in floodplains, wetlands, endangered species critical habitat, or in archaeologically sensitive areas. If you are not certain if the staging area meets these criteria, please contact FEMA Environmental Historic Preservation Advisor Ben Pollack at 202-679-4429 or email: ben.pollack@fema.dhs.gov.
 - iii. Debris must be staged a minimum of 100 feet from property boundaries, surface waters, wetlands, structures, wells, and septic tanks with leach fields.
 - iv. See GA EPD Guidance on Handling Storm-Generated Debris for additional information.
- e. If burning:
 - i. Only vegetative debris may be burned. See GA EPD Air Quality Control rule 391-3-1 for further guidance. Open burning of construction materials is not permitted.
 - ii. **Burn permit must be obtained** from GA Forestry Commission. For information on obtaining a burn permit, go to <http://www.gatrees.org>. Or call 1(877)OK2BURN

- iii. Storm debris stockpiled at a central location away from its origination, for the purpose of burning, will need a variance to rule 391-3-1-.02(5)(a) granted by EPD prior to burning such piles.

4. Handling Debris

- a. Chipping or grinding is the preferred method for disposing of storm generated vegetative debris.
- b. Segregate waste types (e.g. vegetative, construction and demolition (C&D), white goods, household hazardous waste, electronic waste, animal carcasses, sand and mud, etc), if possible.
- c. Disposal of animal carcasses must be compliant with GA Department of Agriculture and GA Environmental Protection Division rules for handling, solid waste, and air quality.
- d. Demolition of structures may require an emergency project notification. Contact the Lead Based Paint and Asbestos Program Duty Officer at (404) 363-7026 for more information.
- e. If collecting or handling asbestos materials, hazardous waste, or prohibited waste items contact the EPD District Office.

5. Point of Contact

To coordinate your debris removal operations or for more information, please **call the GEMA Public Assistance Division at 404-635-7060, or email at publicassistance@gema.ga.gov**, or view debris related documents at GEMA's website at www.gema.ga.gov and link to disaster assistance. You may also contact Valarie Grooms, State Public Assistance Officer (GEMA) at 1-800-TRY-GEMA or valarie.grooms@gema.ga.gov.

6. More Information Online

The Public Assistance Debris Management Guide (FEMA 325) may be found by clicking on the PDF link at: <http://www.fema.gov/government/grant/pa/policy.shtm>. Additional FEMA policies on debris are available at: <http://www.fema.gov/government/grant/pa/9500toc.shtm>.

The Public Assistance Debris Removal – Applicant Contracting Checklist (FEMA Public Assistance Fact Sheet 9580.201) is available at: http://www.fema.gov/pdf/government/grant/pa/9580_201.pdf

U.S. Army Corps of Engineers ENGLink public site for debris management guidance, sample contracts and job aids is available at: <https://eportal.usace.army.mil/sites/ENGLink/DebrisManagement/default.aspx>

More information on obtaining an Emergency Exemption from the Open Burn Ban may be found at: <http://www.georgiaair.org/airpermit/html/planningsupport/openburning/index.htm>

More information on GA Environmental Protection Division solid waste handling information is available at: http://www.gaepd.org/Documents/index_land.html

More information on GA Environmental Protection Division hazardous waste handling information is available at: http://www.gaepd.org/Documents/index_haz.html

Electrical CO-OP Quick Guide

Please review the following guidelines for reimbursement of electrical system repair costs you may incur as a result of a disaster. Repairs to electrical systems are subject to review under the federal and state laws including the Toxic Substance Control Act (TSCA) and the Resource Conservation and Recovery Act (RCRA). Proper documentation of adherence to federal law is required for FEMA reimbursement.

1. The Toxic Substances Control Act (TSCA) of 1976

TSCA addresses the production, importation, use and disposal of specific chemicals including polychlorinated biphenyls (PCBs), a chemical commonly used in electrical transformers. If transformers containing PCBs are being replaced the following actions are required:

- For each replaced transformer it must be determined if the transformer contained PCBs within the dielectric fluid (either provide documentation they did not contain PCBs or copies of the analytical results)
- Documentation that the final disposition of the transformers is at a location permitted to recycle \ dispose of transformers containing PCBs
- If a transformer is spilled, documentation of the spill must be submitted and should include the reported quantity of fluid spilled, the material, i.e., soil, asphalt, concrete), the location (GPS coordinates), and the report to the EPA or State Environmental Agency if applicable. If a transformer did not spill, specifically note this information.

2. The Resource Conservation and Recovery Act (RCRA) of 1976

RCRA addresses disposal or recycling of damaged power poles (chemically treated with creosote, pentachlorophenol or copper, chromium & arsenic (CCA)).

- Pole disposal: Poles should be disposed of at a State classified and permitted landfill that expects such waste.
- Poles taken to a permitted landfill or back to the Co-Op yard/storage facility will require the name of the facility and the GPS coordinates (latitude and longitude).

3. Other Documentation Requirements

- National Historic Preservation Act (NHPA): Projects involving realignment and excavation of undisturbed ground require consultation with the State Historic Preservation Officer (SHPO) and Tribal Governments by FEMA **prior** to work commencing.
- Endangered Species Act (ESA): Projects involving realignment, tree removal or brush clearing operations may require consultation with U.S. Fish and Wildlife Service for threatened and endangered species and their habitats **prior** to work commencing.

Federal Emergency Management Agency Region IV

Historic Properties: Ground Disturbance & Woody Debris Removal

Removal of Woody Debris and Tree Root Balls Overview

When removing woody debris such as branches, limbs and uprooted trees from historic properties, the focus of FEMA Environmental Planning and Historic Preservation (EHP) review is on the question: *Will the removal of the woody debris have the potential to impact an historic property (e.g., below ground archeological resource) that may be eligible for listing on the National Register of Historic Places?* Historically, FEMA has found that tree removal within disturbed public rights-of-way (e.g., sidewalks, roads) or from non-historic (developed) public areas (e.g., playgrounds, boat launches, campgrounds) is less likely to disturb intact archaeological materials, while removal of debris from historic sites such as cemeteries, battlegrounds, parks, and archaeologically sensitive Native American landscapes does have the potential to adversely affect historic properties.

Please note that removing woody debris (including uprooted trees) from disturbed public rights-of-way and other public areas meets Allowance (IA,1a) of the signed Programmatic Agreement between FEMA, the Georgia State Historic Preservation Office, the Georgia Emergency Management and Homeland Security Agency & the United Keetoowah Band of Cherokee Indians (2014), provided that ground disturbance is minimal.

The goal of the DR-4579 EHP review team with regard to root ball removal is to:

- Provide technical assistance to FEMA Public Assistance, State, and Applicant staff.
- Consult with the GA State Historic Preservation Office and tribal partners when it is determined that the removal has a potential to affect historic resources.

Guidance to Field Staff

Historic review is required when removing uprooted trees and woody debris from the areas listed below or similar sites. Applicants should contact the FEMA EHP team for more information.

- Cemeteries
- Battlegrounds
- Historic (including archaeological) landscapes
- Historic districts
- Upland areas adjacent to water (ca. 400 ft)
- Archaeologically sensitive areas

Historic review is not required when removing uprooted trees and woody debris from the following areas:

- Disturbed Public Rights-of-Way (e.g., roads, sidewalks, ditches).
- Non-historically sensitive or previously disturbed public areas (e.g., playgrounds, boat launches, campgrounds).

Woody Debris and Root Ball Removal

- Removal of uprooted trees and woody debris is allowable from the following areas, but requires additional historic review: Cemeteries, Battlegrounds, Historic / Archaeologically-sensitive Landscapes, Historic parks, undisturbed ground, and Historic Districts.
- Any voids that require filling due to a public safety issue must be covered with clean fill from an approved source. Contact the FEMA EHP team for more information.

Stump Removal Guidance

- Utilize methods to avoid or minimize soil disturbance around the stump.
- Void spaces must be backfilled with any original loose from the root ball or clean fill from an approved source.
- Prior to removing stumps, contact the FEMA EHP team to determine if work will occur in an area with known historic or archeological sensitivity.
- If any potential archeological resources are discovered, work must immediately cease and the Applicant or contractor must notify the State (GEMHSA) and FEMA.

Ground Disturbance Guidance

- Prior to ground disturbance greater than three (3) inches in depth, the applicant must contact the FEMA EHP team to determine if known archaeological sites are within the project area.
- When using heavy equipment, work from hard or firm (& dry) surfaces to the fullest extent possible, to avoid sinking into soft soils.

Unanticipated Discoveries: Archaeological Materials/Human Remains

- The applicant or contractor must stop work in the event that debris removal activities disturb human remains, archaeological features (e.g., grave markers, house foundations, cisterns, etc.), or archaeological materials (e.g., historic bricks, ceramic, bottle, or can fragments, coins, beads, Native American stone tools such as projectile points, pottery, etc.). The Applicant will immediately inform local law enforcement, the State Historic Preservation Office (SHPO), GEMHSA, and FEMA of the discovery of human remains. For all other discoveries, notify GEMHSA and FEMA.

Federal Emergency Management Agency Region IV Historic Properties: Ground Disturbance & Woody Debris Removal

- The Applicant will ensure that the Contractor does not proceed with work in the areas of concern until FEMA staff has completed consultation with the SHPO and other interested parties, as necessary.
- To ensure that all applicable State and local laws are adhered to, and permission from all appropriate parties is obtained to remove remains or artifacts, the Applicant must also determine appropriate legal measures under state or local laws.

Additional Comments

- Failure to consult with FEMA on impacts to historic properties may jeopardize the Applicant's receipt of federal funding.
- FEMA, the State Historic Preservation Office, and Tribes have agreed that the Applicant is responsible for ensuring that adverse impacts to historic properties do not occur without prior consultation being completed.

The following is a synopsis of FEMA's preferred practice to address exposed root balls during this disaster. This guidance is based on 11/16/2016 in-field meeting between FEMA/SHPO staff, and on subsequent conversation and agreement conducted 11/29/2016 between Charles Bello (FEMA, EHP Advisor) and Rachel Black (Deputy State Archaeologist).

In all instances, an Applicant may cut and remove the main trunk and branches of a downed tree (being careful not to disturb any additional ground surrounding the tree fall, working from a hard surface, not working in wet conditions, and paying attention that no visible archaeological or historic materials are present). FEMA prefers that the Applicant trim the roots in order to set the root ball back into the disturbed opening. Once this is accomplished, the stump may either be ground flat or cut flush with the ground surface. Following this procedure will not require additional SHPO consultation and the Applicant will self-certify that this procedure was followed. If archaeological materials are observed during construction, work must stop and FEMA, GEMHSA, and SHPO notified.

If the Applicant wants to remove a root ball within an historically sensitive or a high-probability archaeological area, Prior to work commencing FEMA EHP staff will perform a standard records search, literature review and conduct section 106 consultation with SHPO and interested tribes for the proposed location of any root ball to be removed. EHP will notify the FEMA Program Delivery Manager and the Applicant whether or not the location will require archaeological monitoring by an SOI qualified archaeologist (following the *Georgia Standards and Guidelines for Archaeological Surveys, 2014*: see <https://fliphtml5.com/xtgc/jhhy>) during the extraction process. Georgia SHPO maintains a list of qualified consultants: see <http://georgiashpo.org/consultants>. Upon removal of the root ball, clean fill is to be placed into the opening.

An alternative procedure to root-ball removal in historically sensitive or high-probability archaeological areas is to have a qualified archaeological team excavate the root-ball in advance of pulling the stump. Please note that this procedure can be time consuming and archaeological monitoring is preferred.

Please also note that the SHPO archaeologist agreed that not every root ball within the declared counties will have to be treated in the above-referenced ways. If an area is determined by FEMA EHP not to lie within a historically or archaeologically sensitive area, the root ball may be extracted without any further SHPO consultation. In cases where root balls were extracted ahead of FEMA review, then the "after-the-fact" review clause in the Programmatic Agreement (III D, 1-3) will be referenced and applied.

Region IV Federal Emergency Management Agency (FEMA) Floodplain and Wetlands Quick Guide

Executive Order (E.O.) 11988: Floodplain Management
Executive Order (E.O.) 11990: Protection of Wetlands
(Both E.O.'s referred to as floodplain hereafter)

PURPOSE

To reduce the risk of flooding on communities and reduce the impacts of federal investment on the natural functions of floodplains and wetlands. Federal regulations sets forth the policy, procedures and responsibilities for FEMA to implement and enforce E.O. 11988, Floodplain Management, and E.O. 11990, Protection of Wetlands. Based on these Executive Orders, FEMA is required to integrate the goals of the Orders to the greatest possible degree for FEMA-funded actions, (44 CFR, Part 9.1, October, 2002 edition).

REQUIREMENTS

Any modifications or construction in or adjacent to a floodplain or wetland shall be reviewed by FEMA Environmental Planning and Historic Preservation (EHP) staff, and may require an 8-Step process, which includes, but is not limited to, public notice and evaluation of practicable alternatives for the proposed action. Floodplain identification is determined through use of best available data.

For projects in or near a floodplain, coordination is required with the U.S. Army Corp of Engineers (USACE) and local, county, or state agencies (e.g., local Floodplain Administrator, local NFIP Coordinator) per their requirements.

8-STEP DECISION MAKING PROCESS

Applies to projects in or affecting the 1% chance (100-year) floodplain, or critical actions in or affecting the 0.2% chance (500-year) floodplain (e.g. hospitals, fire stations, police stations, sewer services, wastewater treatment, utilities, nursing homes, storage of critical records). Part of the process involves the subgrantee identifying and evaluating practicable alternatives to locating the proposed action in the floodplain or to mitigate impacts if functionally dependent (including alternative sites, actions, or the "no action" option). If a practicable alternative exists outside the floodplain, the subgrantee must locate the action at the alternative site. The goal of this process is to minimize the potential for adverse impacts to the community or floodplains and wetlands.

REMARKS

FEMA funding may be jeopardized if an action is initiated or completed prior to completion of EHP review even if the project is back to pre-disaster condition.

Region IV Federal Emergency Management Agency (FEMA) Work In or Near Water Quick Guide

PURPOSE: The National Environmental Policy Act (NEPA) requires federal agencies to consider the impacts of their proposed actions and alternatives on the human environment before funding and implementing an action. The information below is a quick review of Laws and Executive Orders that FEMA must consider for work in or near water. Noncompliance with these requirements may jeopardize receipt of federal funding.

LAW REQUIREMENTS FOR WORK IN OR NEAR WATER

44 CFR, Part 10.1, requires FEMA to take into account environmental considerations when authorizing or approving actions that could significantly affect the human environment. Work in or near water has an elevated potential to affect the environment. There are several federal laws that pertain to work in water, including, but not limited to the following:

Clean Water Act (CWA): This Act is the primary federal law governing water pollution. Its objective is to restore and maintain the chemical, physical, and biological integrity of the nation's waters by preventing pollution sources, providing assistance to publicly owned treatment works for the improvement of wastewater treatment, and maintaining the integrity of wetlands.

- Section 404 of the CWA outlines the process for issuing permits for the discharge of dredged or fill material into waters of the U.S.
- Subgrantees must coordinate with United States Army Corps of Engineers (USACE) for permitting actions in or near water PRIOR to the initiation of any action, including the use of Nationwide Permits and associated conditions or regional conditions.
- To find contact information for USACE offices, go to: <http://www.usace.army.mil/Locations.aspx>
- For the most recent Nationwide Permits and conditions, including AL regional conditions, please go to: <http://www.sam.usace.army.mil/Missions/Regulatory/NWP.aspx>.

Endangered Species Act (ESA): This Act is the federal law that is designed to protect critically imperiled species from extinction as a consequence of economic growth and development. There are a large number of listed threatened and endangered species or candidate species and critical habitat that exist in or near water in Georgia.

- FEMA is required, under section 7(a)(2) of the ESA to consult with United States Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) PRIOR to the initiation of any action to determine if the action may affect listed threatened and endangered species, candidate species, or their critical habitat.
- Timelines for the completion of consultation depend explicitly on the complexities of the action.
- There may also be state listed species in or near the project area.

Fish and Wildlife Coordination Act (FWCA): This Act is the federal law intended to protect fish and wildlife when federal actions result in the control or modification of a natural stream or body of water. It also requires federal agencies to take into consideration the effect that water-related projects would have on fish and wildlife resources; take action to prevent loss or damage of these resources; and provide for the development and improvement of these resources.

- FEMA determines whether a proposed action will result in the control or modification of a body of water. Typical actions may include:
 - Discharges of pollutants, municipal wastes or dredged and fill material into a body of water or wetlands.
 - Projects involving construction of dams, levees, impoundments, stream relocation, and water-diversion structures.
- FEMA is required to consult with USFWS for actions involving the control or modification of a body of water PRIOR to the initiation of any action.
- Timelines for the completion of consultation depend explicitly on the complexities of the action.

Coastal Barrier Resources Act (CBRA): This Act is the federal law that protects coastal areas that serve as barriers against wind and tidal forces caused by coastal storms, and serve as habitat for aquatic species. Coastal Barrier Resources System Units (CBRUs) are determined and mapped by the USFWS.

- FEMA is required to consult with USFWS for actions in coastal areas PRIOR to initiation of actions in these areas.
- Timelines for the completion of consultation depend explicitly on the complexities of the action.
- To find contact information for USFWS offices, go to: <https://www.fws.gov/offices/>
- To view CBRS maps for Georgia, please go to: <http://www.fws.gov/ecological-services/habitat-conservation/cbra/Maps/index.html>

Coastal Zone Management Act (CZMA): This Act is the federal law that is designed to protect, restore, and establish shared responsibility for preserving and developing the nation's coastal communities and resources.

- NOAA, via CZMA policies, has authorized the states for the supervision of significant land and water activities that could significantly affect their respective coastal zones.
- Subgrantees must coordinate with their state administering agency PRIOR to the initiation of any action, unless the state administering agency does not require a consistency review in coastal zones.
- To find contact information for CZMA, contact the Georgia Department of Natural Resources (GDNR) Coastal Resources Division or go to: <http://coastalgadnr.org/cm>

Magnuson-Stevens Fishery Conservation and Management Act (MSA): This Act is the primary law governing marine fisheries management in U.S. federal waters. First passed in 1976, the Magnuson-Stevens Act fosters long-term biological and economic sustainability of our nation's marine fisheries out to 200 nautical miles from shore.

- FEMA is required to consult with the National Marine Fisheries Service (NMFS) for work in water out to 200 nautical miles from shore.
- Timelines for the completion of consultation depend explicitly on the complexities of the action.

FEDERAL EXECUTIVE ORDERS (E.O.) FOR WORK IN OR NEAR WATER

Federal regulations sets forth the policy and procedure and responsibilities to implement and enforce **E.O. 11998, Floodplain Management**, and **E.O. 11990, Protection of Wetlands**. Based on these Executive Orders, FEMA is required to integrate the goals of the Orders to the greatest possible degree into its procedures for implementing the National Environmental Policy Act (NEPA), (44 CFR, Part 9.1, October, 2002 edition).