



United States Department of the Interior

FISH AND WILDLIFE SERVICE

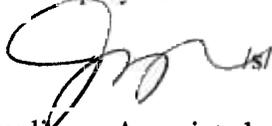
1875 Century Boulevard
Atlanta, Georgia 30345

In Reply Refer To:
FWS/R4/ES

SEP 13 2005

Memorandum

To: All Southeast Region Employees

From: **Acting** Regional Director  Jackie Parrish

Subject: Environmental Compliance Associated with Hurricane Response and Clean-up Activities

Until further notice, the Service will consider all hurricane related Federal activities in counties and parishes in Presidentially-declared disaster areas to be disaster related. Section 7(p) of the Endangered Species Act (ESA) and the emergency consultation provisions of the regulations that implement the ESA (50 CFR section 402) will be used.

Section 7 Consultation under the Endangered Species Act

Within Presidentially-declared Disaster Areas

Section 7(p) of the ESA should be interpreted to mean that within the declared disaster area, (maps attached), restoring any infrastructure damaged or lost due to the hurricane back into the original footprint **does not require consultation** with the Service.

Outside of the Declared Disaster Areas

For storm related activities outside of the declared disaster areas, we will be advising agencies to use the emergency procedures covered in Chapter 8 of the Service's section 7 Handbook. These guidelines indicate that agencies should contact the Service by phone; the Service should offer recommendations verbally to minimize the effects of the emergency response action on listed species or their critical habitat, and follow up with written correspondence. The guidelines indicate clearly that the Service should not stand in the way of response efforts. These telephone calls must be documented, and when practicable, after the emergency is under control, the action agency initiates formal consultation if listed species were adversely affected.

Compliance with the National Historic Preservation Act

For your information and convenience, we are also including here some information regarding compliance with the National Historic Preservation Act (NHPA). The regulations to follow for compliance with section 106 of the NHPA in a disaster declaration are found at 36 CFR 800.12.



The following points should be considered in working with these regulations in a disaster situation:

Immediate rescue and salvage operations conducted to preserve life or property are exempt from the provision of section 106 (36 CFR 800.12 (b)(2)(d)).

The following emergency procedures apply within 30 days of the declaration of an emergency (36 CFR.800.12 (b)(2)(d)):

Agency officials and staff should contact their regional office to coordinate with their agency Preservation Officers or cultural resources staff; your agency may have a formal agreement on how to handle emergency situations for compliance with section 106 the NHPA, and can give the specific advice you will need for your agency in this recovery effort.

If your agency does not have a existing agreement or its own cultural resources staff, and has no existing agreement on how to carry out section 106 compliance in a emergency situation, follow the procedures given in 36 CFR 800.12 (b) (1) (2). These regulations require the Federal official to request comment from the State Historic Preservation Officer (SHPO), and with the Indian Tribes that may have an interest in your project area. You may contact the SHPO in each state for questions about specific undertakings, or general advice on compliance in this situation; they are the office that works with Federal agencies on a routine basis to assure compliance with the NHPA, and are charged with assisting the public and Federal agencies in preserving historic and cultural resources.

We suggest that you contact the appropriate SHPO for your state:

Alabama: Stacye Hathorn, Section Head, Review and Compliance: 334-230-2649

Florida: Laura Kammerer, Review and Compliance: 850-245-6333 or 1-800-847-7278

Mississippi: Department of Archives and History, 601-576-6940

Louisiana: Division of Historic Preservation, 225-342-8160

If you cannot reach the SHPO in your state, or you have other questions, you may contact us at the number below and we will be happy to assist you in finding answers to your questions.

Single, Regional Point of Contact for Questions

To facilitate and streamline our service to other agencies during the response to Hurricane Katrina, we have designated a regional point of contact for all inquiries related to National Environmental Policy Act (NEPA) compliance questions and ESA section 7 consultation questions. Joe Johnston and Kenneth Graham of the Ecological Services Division will serve as

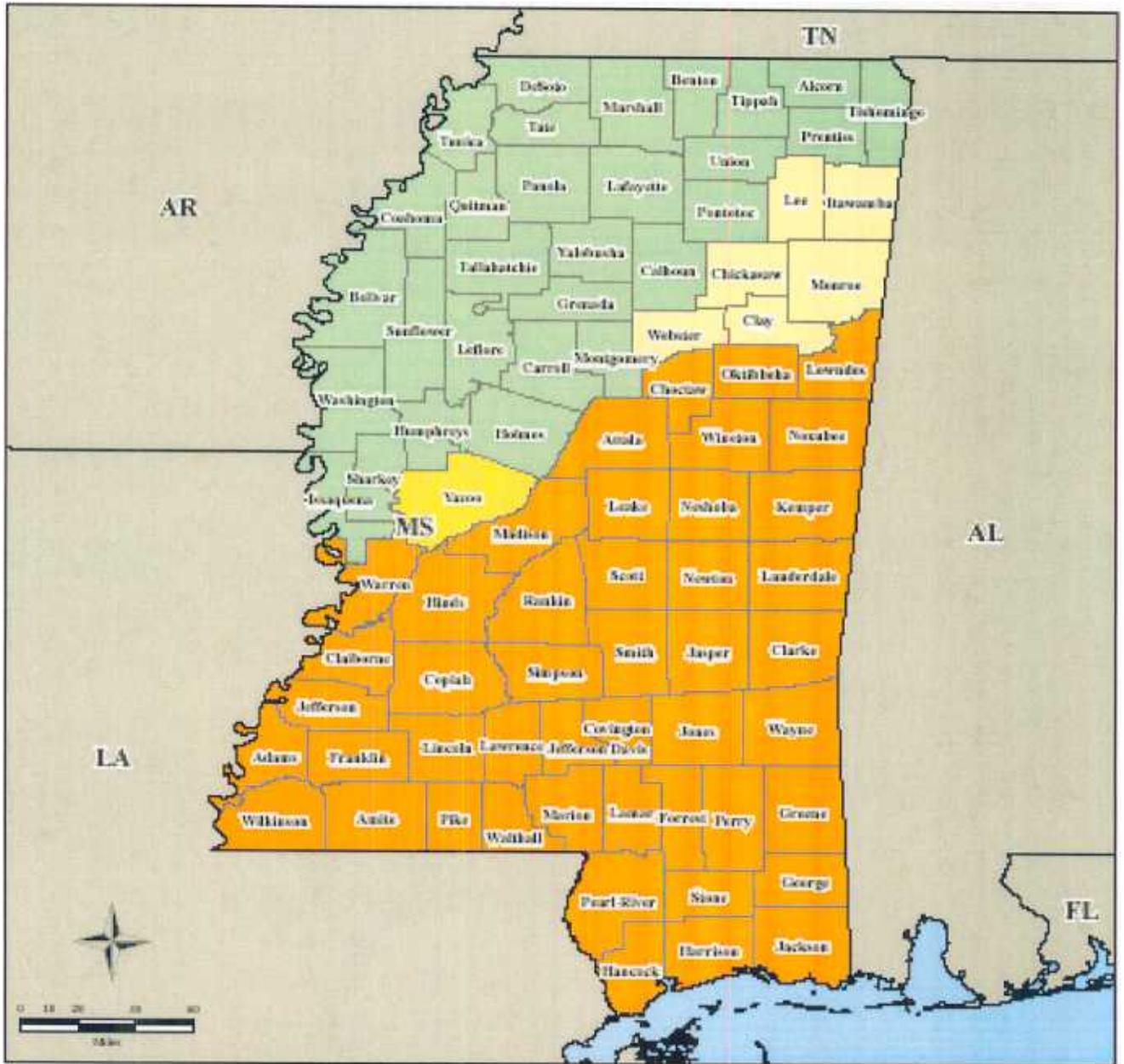
this point of contact. **They can be reached at 1-877-485-2235**, or at Joe_Johnston@fws.gov or Kenneth_Graham@fws.gov.

If you have questions about NEPA or ESA compliance for Service actions, or if you receive questions from other Federal agencies, please direct them to the above toll-free phone number. Joe and Ken will be logging all such requests and will be providing basic guidance on compliance under these two statutes during this type of disaster or emergency situation. Joe or Ken will forward the inquiry on to the local Ecological Services Field Office when questions arise that require site specific knowledge. When you are contacted directly and provide guidance to other agencies, you must log in each instance on the attached form.

If you have any questions about these issues, please contact me or Noreen Walsh, Assistant Regional Director, Ecological Services, at 404-679-7085.

Attachments

Hurricane Katrina Disaster Area Maps



Location Map

Legend

Designated Counties

- Public Assistance
- Public Assistance Category A and B
- Individual and Public Assistance
- Individual and Public Assistance Category A and B



FEMA

*ITS Mapping and Analysis Center
Washington, DC
08/06/09 - 22:10:00 EDT*

All Counties are eligible for Hazard Mitigation



Location Map



Legend

Designated Counties

- Public Assistance
- Individual & Public Assistance

Saint Mary, Saint Tammany, and Ouachita Parishes are eligible for Hazard Mitigation



FEMA

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Washington, DC
08/29/05 -- 15:44:00 EDT*



Location Map

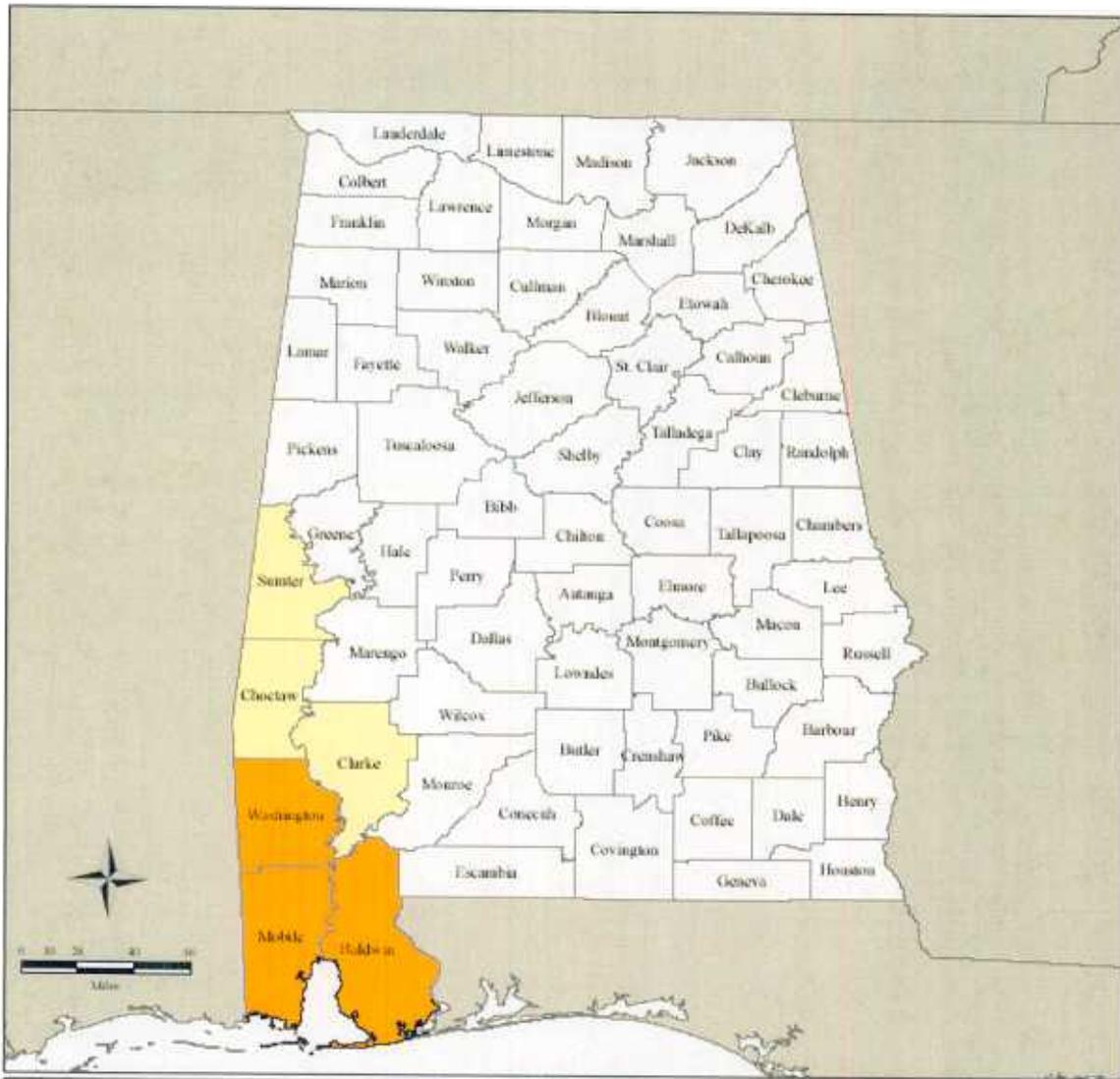
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Designated Counties

- No Designation
- Public Assistance
- Public Assistance Category A and B

*FIS Mapping and Analysis Center
Washington, DC
09/06/05 -- 23:50:00 EDT*

*All Counties are eligible
for Hazard Mitigation.*



Location Map



Legend

Designated Counties	
	No Designation
	Individual and Public Assistance
	Public Assistance



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