

PUBLIC NOTICE FOR THE DEVELOPMENT OF A PROGRAMMATIC AGREEMENT

Seeking Public Comment on the development of a Section 106 Programmatic Agreement for FEMA-funded building elevations and potentially including acquisition and/or mitigation reconstruction.

FEMA is developing a Programmatic Agreement (PA) to meet its responsibilities under Section 106 of the National Historic Preservation Act (NHPA) for undertakings involving elevations of buildings or structures that 45 years old or older.¹ NHPA and the Section 106 regulations² require Federal agencies to take into account the effect of their undertakings on historic properties during the planning process and consult with the State Historic Preservation Officer (SHPO) and other stakeholders regarding these effects.

FEMA has managed NHPA compliance for its disaster assistance programs in Louisiana through statewide agreements since 2004. The agreements have allowed FEMA to streamline the review of the numerous projects resulting from a major Federal disaster. The new agreement will supplement the current 2016 Louisiana Statewide Programmatic Agreement and will apply to the NHPA review of structural elevations and potentially acquisitions and/or mitigation reconstruction of structures 45 years old and older, funded through all FEMA grant programs. The PA will provide specific guidance, not fully addressed in the statewide agreement, for this type of activity.

The PA will provide FEMA with a streamlined approach to NHPA review of grants for buildings 45 years old and older, ensure consistency in NHPA review across FEMA offices and programs, and provide technical guidance for FEMA's recipients and sub-recipients. The PA will address the effects of its actions on properties that are eligible for or listed on the National Register of Historic Places, including districts, buildings, structures, and objects that are significant in American history, architecture, engineering, and/or culture. The PA may outline the process for identifying historic properties, criteria for design review, provide guidance to avoid and minimize adverse effects as a result of elevation, acquisitions and/or mitigation reconstruction and document mitigation measures to offset the loss of historic properties as a result of these Undertakings.



Before elevation (left) and after (right) shows how the retention of historic columns and use of landscaping can minimize the effect of elevation.



Before elevation (left) and after (right) shows how the introduction of new elements and materials adversely affect a historic property so it is no longer recognizable.

Any member of the public is encouraged to provide views on how elevation, acquisitions and/or mitigation reconstruction may affect historic properties and ways that these effects may be avoided, minimized, or mitigated. FEMA requests your comments on the Section 106 Programmatic Agreement for elevations by March 24, 2020.

Comments may be posted at this website: <http://www.crt.state.la.us/culturalassets/fema106>

Or mail comments to: FEMA Mail Center/Environmental Historic Preservation, 800 N. Loop 288, Denton, TX 76209

Or email comments to: FEMA-R6-EHP@fema.dhs.gov

¹ Pub. 54 U.S.C. § 306108, [http://uscode.house.gov/view.xhtml?req=\(title:54%20section:306108%20edition:prelim\)](http://uscode.house.gov/view.xhtml?req=(title:54%20section:306108%20edition:prelim)).

² 36 C.F.R. Part 800, <https://www.achp.gov/sites/default/files/regulations/2017-02/regs-rev04.pdf>. See also: <https://www.achp.gov/sites/default/files/documents/2019-04/CitizenGuide2015v4-spreads%20layout.pdf>