

U.S. Department of Homeland Security
Louisiana Recovery Office
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New Orleans, Louisiana 70114



FEMA

**DRAFT FINDING OF NO SIGNIFICANT IMPACT
FOURCHON BEACH SHORELINE PROTECTION
LAFOURCHE PARISH, LOUISIANA
*FEMA-1603-DR-LA***

Introduction

Hurricane Katrina, a strong hurricane with high wind and a destructive storm surge, made landfall and caused catastrophic damage within the parishes of Louisiana. As a result of damages from Hurricane Katrina, the Federal Emergency Management Agency (FEMA) was authorized under Presidential disaster declaration FEMA-1603-DR-LA to provide federal assistance to designated disaster areas in Louisiana. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93288) Section 406 authorizes FEMA's Public Assistance (PA) Program to provide financial and other forms of assistance to State and local governments to support response, recovery, and mitigation efforts following Presidentially declared disasters.

The Greater Lafourche Port Commission (GLPC) has submitted an application for Federal Emergency Management Agency (FEMA) grant funding under FEMA's Public Assistance Program being administered in response to FEMA-1603-DR-LA. The Fourchon Beach shoreline was substantially damaged by winds and coastal flooding from Hurricanes Katrina and Ike, and was deemed eligible for grant funding to replace the facility to pre-disaster condition. The applicant proposes to construct and install a Geotube System that will consist of placing pre-fabricated geo-synthetic tubes filled with sand that will be located directly behind and on the same alignment as the existing damaged "boudin bags", along the 5,500 linear feet of damaged beach in Lafourche Parish, Louisiana.

In accordance with 44 CFR Part 10, FEMA regulations to implement the National Environmental Policy Act (NEPA), an Environmental Assessment (EA) was prepared. The purpose of this EA was to analyze the potential environmental impacts associated with the construction and installation of a Geotube System, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Findings

The above described action would not result in any significant adverse impacts related to geology, soils, hydrology, floodplains, wetlands, water quality, air quality, vegetation, wildlife, state and federally listed threatened and endangered species, cultural resources, socioeconomics (including minority and low income populations), safety, security, noise, hazardous materials, toxic wastes, or transportation. Based on the information analyzed, FEMA has determined that the implementation of the proposed action would not result in significant adverse impacts to the quality of the natural and human environment. This coastal restoration project may have short term impacts to resources such as wetlands, essential fish habitat, nesting shore bird critical habitat and marine fisheries during its construction phase. Longer term and cumulative impacts to the natural resources and socio-economics from the proposed action are anticipated but unknown at this time. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10) and the proposed action as described in the EA may proceed.

Conditions And Mitigation Measures

Based upon the studies and consultations undertaken in this EA, several conditions must be met and mitigation measures must be taken by the applicant prior to and during project implementation.

- FEMA Public Assistance grant funded projects carried out in the floodplain or affecting the floodplain must be coordinated with the local floodplain administrator for a floodplain development permit and the action must be undertaken in compliance with relevant, applicable, and required local codes and standards. Thereby, this will reduce the risk of future flood loss, minimize the impacts of floods on safety, health, and welfare, and preserve and possibly restore beneficial floodplain values as required by Executive Order 11988.
- Any fill or borrow material used must be sourced from areas that do not contain any buried or submerged cultural materials (e.g. brick foundations, prehistoric Indian artifacts, human burials, and the like).
- If human bone or unmarked grave(s) are present with the project area, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery.
- If during the course of work, archaeological artifacts (prehistoric or historic) are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn

contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO.

- In accordance with the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, Sections 214.21 to 214.41, the State and Local Coastal Resources Act of 1978, as amended, the grant applicant must agree to the terms and conditions of the Coastal Use Permit and remain in compliance.
- Department of the Army Permit No. MVN 2009-1247 WB and LDNR Office of Coastal Management Joint Coastal Use Permit No. P20090468, Extended, authorize the performance of the work in accordance with its specified terms and conditions. This work must be conducted in compliance with all terms and conditions and must remain in compliance. Additionally, the work must be completed within the time limit established within the issued permits and the applicant must submit a request for a time extension, if needed.
- The applicant must follow all applicable local, state, and federal laws, regulations, and requirements and obtain and comply with all required permits and approvals prior to initiating work.
- To minimize air quality impacts, GLPC and its contractors must implement BMPs to limit air emissions, fugitive dust and exhaust. BMPs would include maintaining and covering spoil piles, covering the loads of haul vehicles and keeping construction equipment properly tuned.
- GLPC and its contractors must ensure all project activities are conducted in a safe manner and in compliance with all state and federal occupational safety regulations, including OSHA, to protect workers and the general public.
- Project construction would involve the use of potentially hazardous materials (*e.g.*, petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, treated timber) and may result in the generation of small volumes of hazardous wastes. Appropriate measures to prevent, minimize, and control spills of hazardous materials must be taken and generated hazardous and non-hazardous wastes are required to be disposed in accordance with applicable federal, state and local regulations.
- If any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents are encountered during the project, notification to the Louisiana Department of Environmental Quality's (LDEQ) Single-Point-of-Contact at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous conditions.

- Project activities will be required by the LDEQ to observe precautions to control nonpoint source pollution from construction activities and further, will be required to obtain permits implement the required conditions.
- The U.S. Fish and Wildlife Service (USFWS) notes that the proposed work should not take place within 650 feet of nesting shorebirds during the nesting season (April 1 to September 15) in areas likely to support nesting shorebirds. The Louisiana Department of Wildlife and Fisheries (LDWF) prohibits the entry into or disturbance of active breeding colonies, as well as work within a certain radius of an active nesting colony. If work for the proposed project will commence during the nesting season, a field visit must be conducted to the worksite to look for evidence of nesting colonies; this field visit should take place no more than two weeks before the project begins. If no nesting colonies are found within 400 meters (700 meters for brown pelicans) of the proposed project, no further consultation with LDWR will be necessary. If active nesting colonies are found within the previously stated distances of the proposed project, further consultation with LDWF will be required. Colonies should be surveyed by a qualified biologist to document species present and extent of colonies and a survey report prepared for submittal to LDWF.
- For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, roseate spoonbills, anhingas, and/or cormorants), all project activity occurring within 300 meters of an active nesting colony should be restricted to the non-nesting period (i.e., September 1 through February 15).
- For colonies containing nesting gulls, terns, and/or black skimmers, all project activity occurring within 400 meters (700 meters for brown pelicans) of an active nesting colony should be restricted to the non-nesting period (i.e., September 16 through April 1).

Approvals:

Katherine Zeringue, Environmental Liaison Officer
Louisiana Recovery Office
FEMA-1603/1607-DR-LA

Date

Andre Cadogan, Deputy Director for Operations
Louisiana Recovery Office
FEMA-1603/1607-DR-LA

Date