

# Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL – LOUISIANA – April 2007

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** Plaquemines Parish Medical Center  
PW's: 10086 & 10364  
FIPS#: 075-UWJE6-00-EH002-SP001

**Applicant Name:** Plaquemines Medical Center Hospital Service District #1

**Project Location:** 27136 Highway 23, Port Sulphur, LA 70083  
Latitude: 29.49448, Longitude: -89.71223

## **Project Description:**

The Applicant, Plaquemines Parish Medical Center, has requested a consolidated project to combine the Plaquemines Parish Medical Center and the Families-In-Need-of-Service (FINS) buildings at the above referenced location. The proposed site is 469,400 square feet (10.8 acres) of grass, some brush, and scattered trees within the property lines. The required front yard setback is 40', the required side yard setbacks are 88', and the required rear yard setback is 110'. The remaining buildable area is 239,840 square feet (5.5 acres).

The scope of work includes the construction of a 33,000 square foot medical complex, associated driveways for public and ambulance access, required parking lots, a ramp for emergency access, and site modifications for drainage at the above referenced address. A heliport will be located on top of the new facility. The heliport will be a minimum of 60'x 60' and will have all required clear areas per current FAA regulations. Direct elevator access from the heliport/roof level to the patient care floor will be available to facilitate fast transportation of patients. The proposed replacement facility will maintain the function and capacity of the damaged, original facility, as well as the FINS Building.

The Department of Homeland Security (DHS) and the Council on Environmental Quality (CEQ) have established Alternative Arrangements to meet the requirements of the National Environmental Policy Act (NEPA) and the CEQ Regulations for Implementing the Procedural Requirements of NEPA to Reconstruct Critical Infrastructure in the New Orleans Metropolitan Area. These alternative arrangements will enable FEMA, as a component of DHS, to consider the potential for significant impacts to the human environment from its approval to fund the reconstruction of critical physical infrastructure in NOMA. This project qualifies as an Alternative Arrangement for the Reconstruction of Critical Infrastructure in the New Orleans Metropolitan Area. For more information visit [www.fema.gov/plan/ehp/noma/index.shtm](http://www.fema.gov/plan/ehp/noma/index.shtm)

## **National Environmental Policy Act (NEPA) Determination**

- Statutorily excluded from NEPA review (**Review Concluded**)
- Programmatic Categorical Exclusion - Category (**Review Concluded**)
- Categorical Exclusion - Category
  - No Extraordinary Circumstances exist.  
Are project conditions required?  Yes (see section V)  No (**Review Concluded**)
  - Extraordinary Circumstances exist (see Section IV).
    - Extraordinary Circumstances mitigated. (see Section IV comments)  
Are project conditions required?  Yes (see section V)  No (**Review Concluded**)
- Alternative Arrangements
  - Public Involvement Plan on file (see comments below)  
Are project conditions required?  Yes (see section V)  No (**Review Concluded**)
- Environmental Assessment
- Supplemental Environmental Assessment (Reference EA or PEA in comments)
- Environmental Impact Statement

**Comments:** Based on documentation provided by the sub-applicant, FEMA's Environmental / Historic Preservation Section and Alternatives Arrangement team has determined that the Plaquemines Medical Center Hospital Service District #1 has provided sufficient documentation to demonstrate a satisfactory public involvement process for the proposed construction of the new Plaquemines Parish Medical Center.  
**Correspondence/Consultation/References:** NEPA Alternative Arrangements Report of Finding letter dated December 18, 2008, signed by Nicholas Knowles, providing documentation of public involvement for the Plaquemines Medical Center.

Project is Non-Compliant (see attached documentation justifying selection).

**Reviewer and Approvals**

**FEMA Environmental Reviewer:**

Name: Brandon M. Clark, Environmental Specialist, FEMA LA TRO

Signature Brandon M. Clark Date 12/19/08

**FEMA Environmental Liaison Officer or Delegated Approving Official:**

Name: Cynthia Teeter, Deputy Environmental Liaison Officer, FEMA LA TRO

Signature [Signature] Date 12/19/08

**I. Compliance Review for Environmental Laws (other than NEPA)**

**A. National Historic Preservation Act (NHPA)**

- Not type of activity with potential to affect historic structures or archaeological resources (**Review Concluded**)
- Activity meets Programmatic Agreement, December 3, 2004. Appendix A: Allowance No.  
Are project conditions required?  Yes (see Section V)  No
- Programmatic Agreement not applicable for historic structures or archeological sites, must conduct standard Section 106 Review (see below).
- Other Programmatic Agreement dated \_\_\_\_\_ applies

**HISTORIC BUILDINGS AND STRUCTURES**

- No historic properties that are listed or 45/50 years or older in project area. (**Review Concluded**)
- Building or structure listed or 45/50 years or older in project area and activity not exempt from review.
  - Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
  - Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
    - Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
    - No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
    - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
      - Resolution of Adverse Effect completed (MOA on file)  
Are project conditions required  Yes (see Section V)  No (**Review Concluded**)

**ARCHEOLOGICAL RESOURCES**

- Project scope of work has no potential to affect archeological resources (**Review Concluded**)
- Project affects only previously disturbed ground. (**Review Concluded**)
- Project affects undisturbed ground or grounds associated with a historic structure
  - Project area has no potential for presence of archeological resources
    - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)  
(**Review Concluded**)
  - Project area has potential for presence of archeological resources
    - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required  Yes (see Section V)  No (**Review Concluded**)
    - Determination of historic properties affected

- NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (Review Concluded)
- NR eligible resources present in project area (FEMA finding/SHPO/THPO concurrence on file)
  - No Adverse Effect Determination (FEMA finding/ SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (Review Concluded)
  - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
    - Resolution of Adverse Effect completed (MOA on file)  
Are project conditions required?  Yes (see Section V)  No (Review Concluded)

**Comments:** FEMA, in consultation with SHPO, has determined that the demolition, slab removal, replacement, and relocation of the Plaquemines Medical Center Service District #1 will result in No Historic Properties Affected. (See SHPO consultations dated 08/23/07 and 10/05/07.) The HR-Annex (FINS) building is less than 50 years old and does not meet the eligibility requirements for listing under Criteria Consideration G; therefore, its demolition does not have the potential to affect standing historic properties.

Upon consultation of data provided by the State Historic Preservation Office (SHPO), there are no known archaeological sites within 0.5 miles of the project area and all work will occur within a previously disturbed area. Therefore, the scope of work as submitted meets the criteria outlined in the Programmatic Agreement dated December 3, 2004, Appendix A, Section I.A. In accordance with this document, FEMA is not required to submit projects to the SHPO for review where the work performed meets these allowances. (This comment supersedes the one made by K. Zeringue on 8/17/2006 for PW # 10086 and removes the Low-Impact Demolition Stipulations mandated by that comment, as the applicant now intends to remove the structure's foundation.)

FEMA, in consultation with SHPO, has determined that the demolition and foundation removal of the original facility, as well as the relocation and reconstruction of the Plaquemines Medical Center (Service District #1) at 27136 Hwy 23 in Port Sulphur, will result in No Historic Properties Affected. (See SHPO consultations dated 08/23/07 and 10/05/07.)-

**Correspondence/Consultation/References:** Katie Wollan, Historic Preservation Specialist and Jerame J. Cramer, Historic Preservation Specialist/Archaeologist, Hanan Browning Archaeologist/HP Specialist

### B. Endangered Species Act

- No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action. (Review Concluded)
- Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.
  - No effect to species or designated critical habitat. (See comments for justification)  
Are project conditions required?  Yes (see Section V)  No (Review Concluded)
  - May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) (Review Concluded)  
Are project conditions required?  Yes (see Section V)  No (Review Concluded)
  - Likely to adversely affect species or designated critical habitat
    - Formal consultation concluded. (Biological Assessment and Biological Opinion on file)  
Are project conditions required?  YES (see Section V)  NO (Review Concluded)

**Comments:** Per correspondence with USFWS dated October 10, 2008 this project has been reviewed for effects to Federal Trust Resources under the jurisdiction of the USFWS and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed, will have no effect on those resources. This finding fulfills the requirements under Section 7(a)(2) of the Act.

**Correspondence/Consultation/References:** Informal Consultation with Patti Holland, USFWS, October 10, 2008

### C. Coastal Barrier Resources Act

- Project is not on or connected to CBRA Unit or Otherwise Protected Area (Review Concluded).
- Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)
  - Proposed action an exception under Section 3505.a.6 (Review Concluded)
  - Proposed action not excepted under Section 3505.a.6.  
Are project conditions required?  YES (see Section V)  NO (Review Concluded)

**Comments:** Project is not within a CBRA zone.

**Correspondence/Consultation/References:** Louisiana Coastal Barrier Resource System Maps referenced October 10, 2008

#### D. Clean Water Act

- Project would not affect any waters of the U.S. **(Review Concluded)**
- Project would affect waters, including wetlands, of the U.S.
- Project exempted as in kind replacement or other exemption. **(Review Concluded)**
  - Project requires Section 404/401 of Clean Water Act or Section 9/10 of Rivers and Harbors Act permit, including qualification under Nationwide Permits.
- Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**
- Project would affect waters of the U.S. by discharging to a surface water body.

**Comments:** Applicant must comply with all local, state and federal requirements related to sediment control, disposal of solid waste, control and containment of spills, discharge of surface runoff and stormwater from the site.  
**Correspondence/Consultation/References:** USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried on October 10, 2008

#### E. Coastal Zone Management Act

- Project is not located in a coastal zone area and does not affect a coastal zone area **(Review concluded)**
- Project is located in a coastal zone area and/or affects the coastal zone
- State administering agency does not require consistency review. **(Review Concluded)**
  - State administering agency requires consistency review.
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

**Comments:** This project is located within the Louisiana Coastal Management Zone. Projects within the coastal zone may require a coastal use permit or other authorization from LADNR. Projects may be coordinated by contacting LA DNR at 1-225-342-9232.  
**Correspondence/Consultation/References:** Louisiana Coastal Zone maps queried October 10, 2008

#### F. Fish and Wildlife Coordination Act

- Project does not affect, control, or modify a waterway/body of water. **(Review Concluded)**
- Project affects, controls, or modifies a waterway/body of water.
- Coordination with USFWS conducted
    - No Recommendations offered by USFWS. **(Review Concluded)**
    - Recommendations provided by USFWS.
- Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

**Comments:** Project scope does not include impoundment, diversion, control, or other modification of waters of any stream or body of water. In accordance with the Fish and Wildlife Coordination Act, the Fish and Wildlife Service has determined that the proposed project will not significantly impact fish and wildlife resources.  
**Correspondence/Consultation/References:** Informal Consultation with Patti Holland, USFWS, October 10, 2008

#### G. Clean Air Act

- Project will not result in permanent air emissions. **(Review Concluded)**
- Project is located in an attainment area. **(Review Concluded)**
- Project is located in a non-attainment area.
- Coordination required with applicable state administering agency:  
Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

**Comments:** The proposed project includes activities that would produce a minor, temporary, and localized impact on air quality from vehicle emissions and fugitive dust particles. No long-term air quality impact is anticipated.  
**Correspondence/Consultation/References:** EPA Region 6 Non-attainment Map

#### H. Farmland Protection Policy Act

- Project will not affect undisturbed ground. **(Review Concluded)**
- Project has a zoning classification that is other than agricultural or is in an urbanized area. **(Review Concluded)**
- Project does not affect designated prime or unique farmland. **(Review Concluded)**
- Project causes unnecessary or irreversible conversion of designated prime or unique farmland.
- Coordination with Natural Resources Conservation Service required.

- Farmland Conversion Impact Rating, Form AD-1006, completed.  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

**Comments:** FEMA initiated consultation with the NRCS on October 10, 2008 regarding potential impacts to prime and unique farmland as defined in 7 CFR 658.2(a). According to their reply on October 15, 2008, the site is located in an area that is in prime farmland. The soil located on this site is Schriever clay (Sk) and Harahan clay (Ha). Coordination with NRCS documents on the AD-1006 Farmland Conversion Impact Rating Form that no farmlands will be impacted from this borrow area.

**Correspondence/Consultation/References:** National Resource Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/>) referenced October 10, 2008

### I. Migratory Bird Treaty Act

- Project not located within a flyway zone (Review Concluded)  
 Project located within a flyway zone.  
 Project does not have potential to take migratory birds (Review Concluded)  
Are project conditions required?  Yes (see section V)  No (Review Concluded)  
 Project has potential to take migratory birds.  
 Contact made with USFWS  
Are project conditions required?  YES (see section V)  NO (Review Concluded)

**Comments:** The site is an existing disturbed area with little value to migratory birds and would not be included in the USFWS migratory bird management program.

**Correspondence/Consultation/References:** USFWS guidance letter dated September 27, 2005.

### J. Magnuson-Stevens Fishery Conservation and Management Act

- Project not located in or near Essential Fish Habitat (Review Concluded)  
 Project located in or near Essential Fish Habitat.  
 Project does not adversely affect Essential Fish Habitat (Review Concluded)  
Are project conditions required?  Yes (see Section V)  No (Review Concluded)  
 Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)  
 NOAA Fisheries provided no recommendation(s) (Review Concluded).  
Are project conditions required?  Yes (see Section V)  No (Review Concluded)  
 NOAA Fisheries provided recommendation(s)  
 Written reply to NOAA Fisheries recommendations completed.  
Are project conditions required?  YES (see Section V)  NO (Review Concluded)

**Comments:** Project is not located in or near any surface waters with the potential to affect EFH species.

**Correspondence/Consultation/References:** Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) referenced October 10, 2008

### K. Wild and Scenic Rivers Act

- Project is not along and does not affect Wild or Scenic River (WSR) - (Review Concluded)  
 Project is along or affects WSR  
 Project adversely affects WSR as determined by NPS/USFS. FEMA cannot fund the action. (NPS/USFS/USFWS/BLM consultation on file) (Review Concluded)  
 Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)  
Are project conditions required?  YES (see Section V)  NO (Review Concluded)

**Comments:** Project is not along and does not affect Wild or Scenic River (WSR).

**Correspondence/Consultation/References:** National Wild and Scenic Rivers <http://www.nps.gov/rivers/wildriverslist.html>

### L. Resource Conservation and Recovery Act

Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials (such as asbestos and lead based paint) and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

## M. Other Relevant Laws and Environmental Regulations

None

## II. Compliance Review for Executive Orders

### A. E.O. 11988 - Floodplains

- No Effect on Floodplains/Flood levels and project outside Floodplain - (Review Concluded)
- Located in Floodplain or Effects on Floodplains/Flood levels
- No adverse effect on floodplain and not adversely affected by the floodplain. (Review Concluded)  
Are project conditions required?  Yes (see Section V)  No (Review Concluded)
  - Beneficial Effect on Floodplain Occupancy/Values (Review Concluded).
  - Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
    - 8 Step Process Complete - documentation on file  
Are project conditions required?  YES (see Section V)  NO (Review Concluded)
    - A Final Public Notice is required

**Comments:** The parish of Plaquemines is enrolled in the National Flood Insurance Program (NFIP), as of 05/01/1985. Per preliminary Flood Insurance Rate Map (FIRM) Panel 22075C 0725D, dated 10/30/2008, the proposed location for the new facility is located within Zone AE, the 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood. BFE's determined. Per Plaquemines Parish Advisory Base Flood Elevation Map N-43, dated 09/21/2007, the proposed location is in a "Zone AE EL 12 ft., Sub-basin "e" zone.

**Correspondence/Consultation/References:** Jeff Sample, CFM, Floodplain management Specialist

### B. E.O. 11990 - Wetlands

- No Effects on Wetland(s) and/or project located outside Wetland(s) - (Review Concluded)
- Located in Wetland or effects Wetland(s)
- Beneficial Effect on Wetland - (Review Concluded)
  - Possible adverse effect associated with constructing in or near wetland
    - Review completed as part of floodplain review
    - 8 Step Process Complete - documentation on file  
Are project conditions required?  YES (see Section V)  NO (Review Concluded)

**Comments:** None

**Correspondence/Consultation/References:** USFWS NWI map accessed on-line October 10, 2008

### C. E.O. 12898 - Environmental Justice for Low Income and Minority Populations

- Project scope of work has no potential to adversely impact any population (Review Concluded)
- No Low income or minority population in, near or affected by the project based on information gathered from <http://factfinder.census.gov>. (Review Concluded)
- Low income or minority population in or near project area
- No disproportionately high and adverse impact on low income or minority population (Review Concluded)
  - Disproportionately high or adverse effects on low income or minority population  
Are project conditions required?  YES (see Section V)  NO (Review Concluded)

**Comments:** The populations within zip code 70083 are: 45.2% White, 43.9% Black, and 7.7% American Indian and Alaska Native. The median household income in 1999 was \$29,714 and 20.9% of families are below poverty level.

**Correspondence/Consultation/References:** U.S. Census bureau 2000 data at <http://factfinder.census.gov>, referenced October 10, 2008

### III. Other Environmental Issues

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

Comments: None

Correspondence/Consultation/Reference:

### IV. Extraordinary Circumstances

Yes

- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy
- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- (viii) Potential for adverse effects on health or safety; and
- (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

Comments:

### V. Environmental Review Project Conditions

#### Project Conditions:

The following conditions apply as a condition of FEMA funding reimbursement:

1. If during the course of work, archaeological artifacts (prehistoric or historic) or human remains 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 addition, if unmarked graves are present, 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 this scope of work or the location of the new building changes outside of the current APE, this project will need to be resubmitted for further Section 106 review prior to ground disturbing activities taking place. Failure to comply with these stipulations may jeopardize receipt of federal funding.
2. This consolidation project will combine the capacity and function of the Plaquemines Parish Medical Center and the Families-in-Need-of-Service (FINS) building. The new construction will be relocated to a new site. All activities should be coordinated and comply with the local floodplain ordinance and elevated to or above advisory base flood elevations. All required permits will be obtained and retained for validation and documentation. Per 44 CFR 9.11 (D)(9), the replacement of building contents, materials and equipment, where possible, disaster proofing of the building and/or elimination of such future losses by relocation of those building contents, materials and

equipment outside or above the advisory base flood elevation. In compliance with EO 11988, an 8-step process was completed. Per 44 CFR 9.12, a cumulative final public notice was published 10/26/2007.

3. Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials (such as asbestos and lead based paint) and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
4. If required by LDEQ, the applicant shall require its contractor to prepare, certify, and implement a construction Storm Water Pollution Prevention Plan to prevent sediment and construction material transport from the sites (regulated under NPDES Program, Section 402). A Louisiana Pollution Discharge Elimination System (LAPDES) Permit will be required in accordance with the CWA and the Louisiana Clean Water Code. All coordination pertaining to these activities should be documented and copies forwarded to the State and FEMA as part of the permanent project files.
5. The applicant shall implement construction best management practices for equipment and materials storage and construction activities (including equipment and materials staging and stockpiling of temporarily excavated backfill material) to prevent erosion and sedimentation to surrounding, nearby or adjacent wetlands. These measures are to ensure that wetlands are not adversely affected per the clean water act and executive order 11990.