

Draft Environmental Assessment

Livingston Parish Fire Protection District No. 11
Old 4th Ward School (Fire Station Addition)
FEMA-1603-DR-LA

Independence, Livingston Parish, Louisiana
May 2014

**U.S. Department of Homeland Security
Federal Emergency Management Agency, Region VI
Louisiana Recovery Office
New Orleans, Louisiana 70114**



FEMA

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LIST OF ACRONYMS

ABFE	Advisory Base Flood Elevation
ACHP	Advisory Council on Historic Preservation
ACM	Asbestos Containing Material
AOI	Area of Interest
APE	Area of Potential Effects
BFE	Base Flood Elevation
BMPs	Best Management Practices
CAA	Clean Air Act
CBRA	Coastal Barrier Resources Act
CBRS	Coastal Barrier Resources System
CED	Comprehensive Environmental Document
CERCLA	Comprehensive Environmental response, Compensation, and Liability Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CUP	Coastal Use Permit
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
DFIRM	Digital Flood Insurance Rate Map
DOE	Determination of Eligibility
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
EDMS	Electronic Document Management System
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
FT	Feet
GCR	General Conformity Rule
HEAG	Highest Existing Adjacent Grade
HP	Historical Preservation
HSDRRS	Hurricane Storm Damage Risk Reduction System
IPaC	Information, Planning, and Conservation
LA GOHSEP	Louisiana Governor's Office of Homeland Security and Emergency Preparedness
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
LPDES	Louisiana Pollutant Discharge Elimination System
LPFPD	Livingston Parish Fire Protection District
MBTA	Migratory Bird Treaty Act
NAA	Non Attainment Area
NAAQS	National Ambient Air Quality Standards
NAVD 88	North American Vertical Datum of 1988
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service

NOAA	National Oceanic & Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
OCM	Office of Coastal Management
OTR	Ozone Transport Region
PA	Public Assistance Grant Program
PCB	Polychlorinated Biphenyls
PW	Project Worksheet
RCRA	Resource Conservation and Recovery Act
RHA	Rivers and Harbors Act
RS	Revised Statutes
SFHA	Special Flood Hazard Area
SHPO	State Historic Preservation Office/Officer
SIP	State Implementation Plan
TSCA	Toxic Substances Control Act
US	United States
USACE	United States Army Corps of Engineers
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	Underground Storage Tank

1.0 INTRODUCTION

1.1 Project Authority

Hurricane Katrina made landfall on August 29, 2005 near the town of Buras, Louisiana with sustained winds of more than 125 mph. President George W. Bush declared a major disaster for the State of Louisiana (FEMA-1603-DR-LA) on August 29, 2005, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide Federal assistance in designated areas of Louisiana. This is pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. Section 406 of the Stafford Act authorizes FEMA's Public Assistance Program (PA) to assist in funding the repair, restoration, reconstruction, or replacement of public facilities damaged as a result of a declared disaster. FEMA's implementing regulations for the PA Program are found in 44 Code of Federal Regulations (CFR), Part 206.

This Draft Environmental Assessment (EA) has been prepared in compliance with the National Environmental Policy Act of 1969 (NEPA), the President's Council on Environmental Quality (CEQ) regulations implementing NEPA (Title 40 of the CFR, Parts 1500 to 1508), and FEMA's regulations implementing NEPA (44 CFR Parts 9 and 10).

The purpose of this Draft EA is to analyze potential environmental impacts of the proposed project. FEMA will use the findings in this EA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

1.2 Background

The Applicant's, Livingston Parish Fire Protection District No. 11 (LPFPD), Old 4th Ward School sustained major roof and rainwater damage as a result of Hurricane Katrina. The facility was constructed in 1917 and has been recommended by the State Historic Preservation Officer (SHPO) for placement on the National Register of Historic Places (NRHP). The facility was used as a community center immediately prior to the disaster, and is currently safe and secure.

LPFPD submitted an application through the State of Louisiana's Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) for funding under FEMA's Public Assistance (PA) Program that would restore the lost functions and capacity of the Old 4th Ward School, with improvements. FEMA's Public Assistance Program has determined that the facility was damaged to an extent that it is eligible for repair costs only.

Livingston Parish Fire Protection District No. 11 currently lacks sufficient storage space for fire trucks, and lacks adequate firefighter training and firefighter and public meeting space. The Old 4th Ward School is situated in close proximity (next door) to an existing Fire Protection District No. 11 fire station, located at 33815 Highway 43 North, Independence, LA 70443, Latitude 30.60084, Longitude -90.61228 (*Figure 2*). In accordance with 44 CFR § 206.203(d)(2), LPFPD has requested an Alternate Project and, in lieu of repairs to the Old 4th Ward School, proposes to construct an addition to the existing adjacent fire station building that would provide firefighter training, storage, and meeting space, as well as other needed public safety functions.

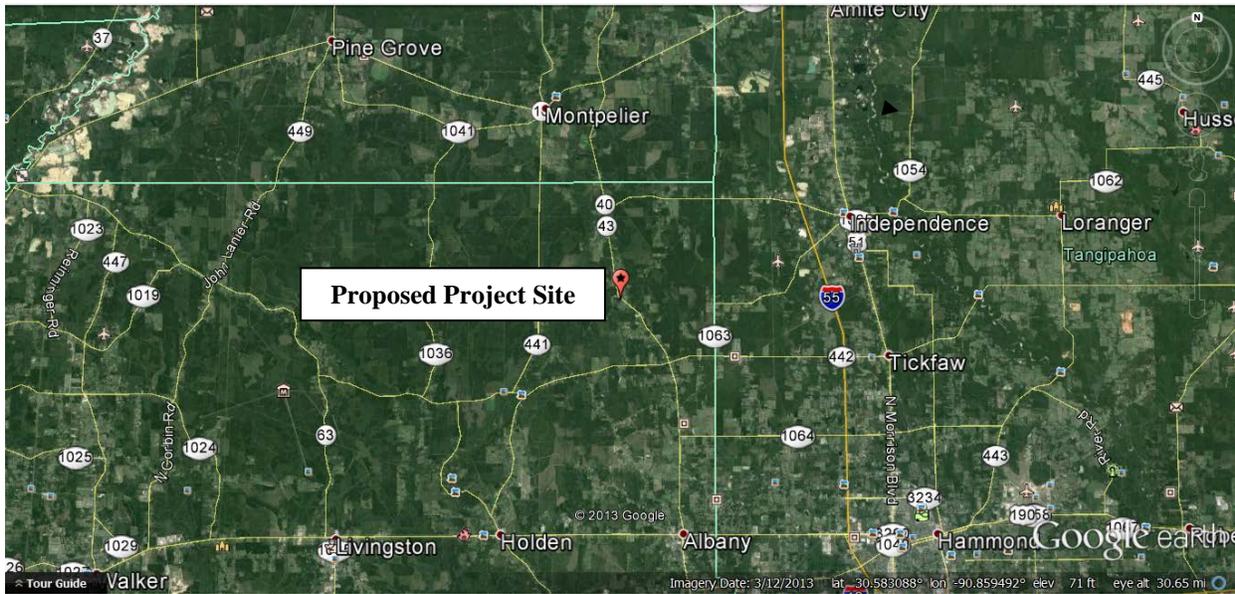


Figure 1 – Extended Aerial, Proposed Project Site, Livingston Parish, LA (Google Earth, 2014)



Figure 2 – Proposed Project Site

2.0 PURPOSE AND NEED

The objective of FEMA's Public Assistance (PA) Grant Program is to provide assistance to State, Tribal and local governments, and certain types of Private Nonprofit (PNP) organizations, so that communities can quickly respond to, recover from, and mitigate major disasters and emergencies.

Strong winds associated with Hurricane Katrina severely impaired LPFPD critical and non-critical functions. Post-storm restoration of LPFPD public safety and other critical and non-critical services and facilities in a manner that best serves the local community is needed for FEMA PA to achieve its objective.

3.0 ALTERNATIVES

The NEPA process consists of an evaluation of the environmental effects of a federal undertaking, including its alternatives. This section describes alternatives proposed and considered in addressing the purpose and need stated in Section 2.0 above. Three alternatives have been proposed and reviewed for this project. They include: 1) No Action; 2) Repair of the Old 4th Ward School with upgrades to current codes and standards; and 3) Construction of an extension/addition to the existing fire station building (Proposed Action).

Absent significant additional funding to upgrade the Old 4th Ward School to modern construction and occupancy codes, repair of the building to its pre-disaster design and capacity would not result in a structure that could be used by the local community or other members of the public. Further, the pre-disaster design of the adjacent fire station did not provide adequate meeting and training space for firefighters and the public. An addition to the adjacent fire station building would serve the local community by increasing fire truck storage space, providing adequate training space for firefighters, and providing appropriate meeting space for fire fighters and the public, while also mitigating the threat of future storm events.

3.1 Alternative 1 - No Action

Under the No Action alternative, there would be no repair or reconstruction of LPFPD facilities. Consequently, the community would be unable to utilize the damaged public facility; and the fire station facility and personnel would continue to operate under the present inadequate conditions, foregoing an opportunity to improve upon the functions and capacity of the existing public safety structure. This alternative does not meet the purpose and need, but will continue to be evaluated throughout this EA and serve as a baseline comparison of impacts from other action alternatives.

3.2 Alternative 2 – Repair Old 4th Ward School with Codes and Standards Upgrades

This action alternative would repair the existing Old 4th Ward School building to pre-disaster condition with upgrades to current codes and standards. To complete the repair in accordance with current construction and occupancy codes and have a building that could be used by the public, the District would have to secure significant additional financing. The LPFPD would also forego an opportunity to improve upon its public safety functions by providing the fire station with much needed fire truck storage space and firefighter training and meeting space.

With secured financing, this alternative meets the intended purpose of and need for the undertaking; and will continue to be evaluated throughout this EA.

3.3 Alternative 3 – Expansion of the Existing Fire Station Building (Proposed Action)

Eligible funds would be used to expand the District 11 Fire Station facility by building an addition to the rear of the existing structure (*Figures 3 and 4*). The newly constructed addition would be approximately 1,500 SF (not 1,800 SF as indicated in the preliminary site plan, *Figure 3*), and include a communications room, meeting and training space for the Fire District and members of the public, and interior storage space for fire trucks (*Figure 4*). A new air conditioning system would be installed; the proposed facility would be climate controlled. A new concrete parking lot and driveway, and a new water line, would be constructed and accommodate the new facility (*Figure 4*). The new construction would tie into existing municipal water and electrical lines. The building site would be leveled using fill material. This alternative meets the purpose and need of the action and will be further evaluated throughout this EA.

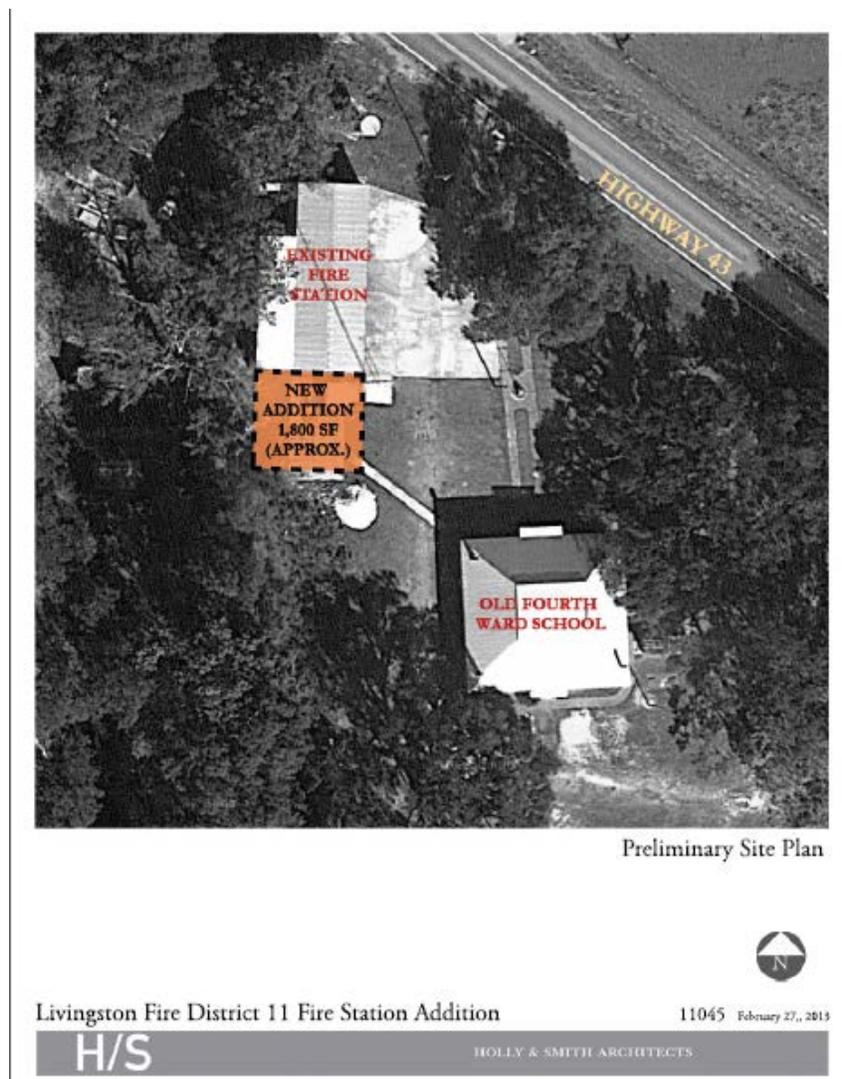


Figure 3 – Proposed Site Plan

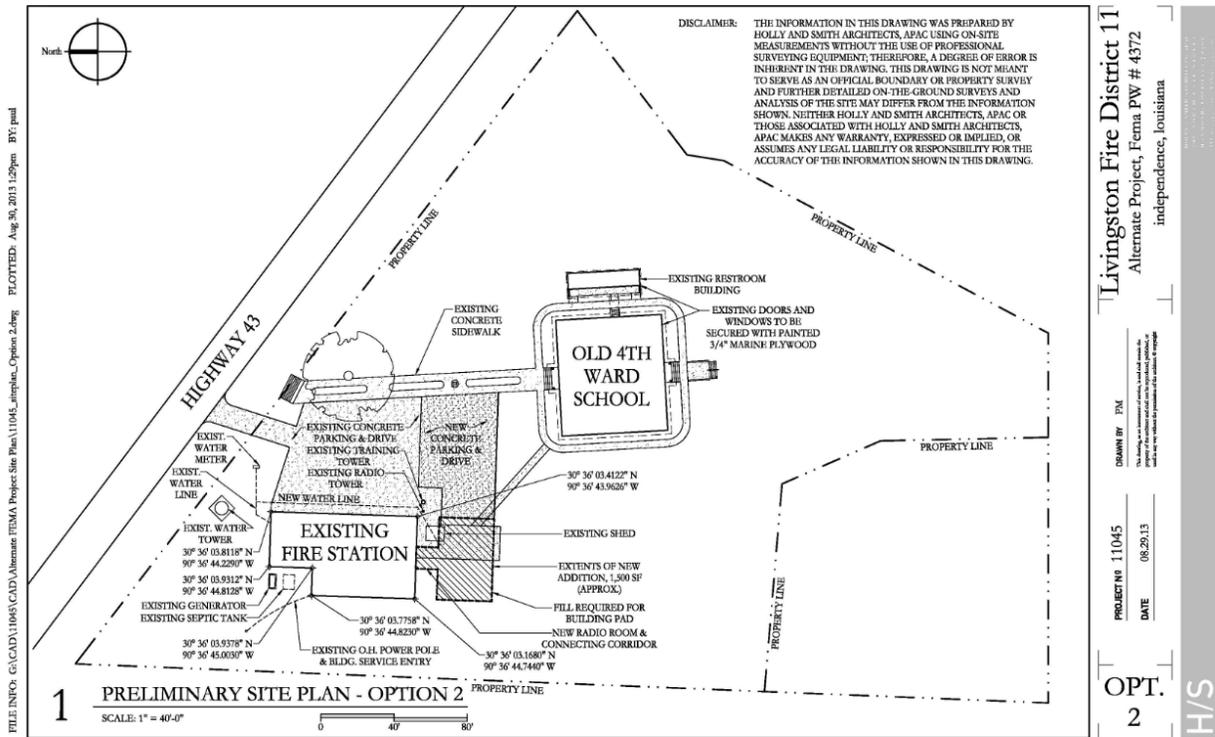


Figure 4 – Proposed Site Design

4.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS

4.1 Waters of the United States and Wetlands

4.1.1 Regulatory Setting

The United States Army Corps Engineers (USACE) regulates the discharge of dredged or fill material into waters of the U.S., including wetlands, pursuant to §§ 401 and 404 of the Clean Water Act (CWA) (33 U.S.C. § 1344). Section 402 of the CWA, entitled National Pollutant Discharge Elimination System (NPDES), authorizes and sets forth standards for state administered permitting programs regulating the discharge of pollutants into navigable waters within the state's jurisdiction (33 U.S.C. § 1342). The USACE also regulates the building of structures in waters of the U.S. pursuant to §§ 9 and 10 of the Rivers and Harbors Act (RHA) (33 U.S.C. § 403). Executive Order (E.O.) 11990, Protection of Wetlands, directs Federal agencies to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the values of wetlands for federally funded projects (42 F.R. 26961, May 25, 1977). Wetlands are identified as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (E.O. 11990, § 7[c]). FEMA regulations for complying with E.O. 11990 are found at 44 CFR Part 9, Floodplain Management and Protection of Wetlands.

The Environmental Protection Agency (EPA) enforces the CWA and regulates discharges to waters of the United States through permits issued under the NPDES permitting program. On August 27, 1996, Louisiana assumed the NPDES from EPA Region VI, thus becoming a state delegated to administer the NPDES Program (EPA 2013, LDEQ 2011). Having assumed NPDES responsibilities, Louisiana may directly issue NPDES permits and has primary enforcement responsibility for facilities in this state, with certain exceptions such as Indian Country Lands (EPA 2013, LDEQ 2011). Louisiana administers the NPDES Program and surface water discharge permitting system under the Louisiana Pollutant Discharge Elimination System (LPDES) program (LDEQ 2011). LPDES requires permits for the discharge of pollutants/wastewater from any point source into waters of the state (LAC 33:IX). The term “point source” is defined as “any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, ... vessel, or other floating craft from which pollutants are or may be discharged” (40 C.F.R. § 122.2; LAC 33:IX, Chapter 23, §2313). Prior to assumption of the program, permittees were required to hold both a valid state and federal permit. Today, all point source discharges of pollutants to waters of the state of Louisiana are required to hold an LPDES permit issued by the Louisiana Department of Environmental Quality (LDEQ, 2011).

4.1.2 Existing Conditions

In correspondence dated January 9, 2014, the EPA commented that jurisdictional waters of the U.S. do not occur within the project footprint, but may occur adjacent to the northwest edge of the proposed project site (*Appendix B, Agency Correspondence*). According to the U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) map, a palustrine open water (POW) wetland is located approximately 200 feet west of the edge of the proposed project site (*Figure 5*). In a jurisdictional determination letter dated February 13, 2014, the USACE determined that the proposed project sites are not jurisdictional wetlands subject to the Corps’ jurisdiction, and that a Department of the Army permit under § 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site.

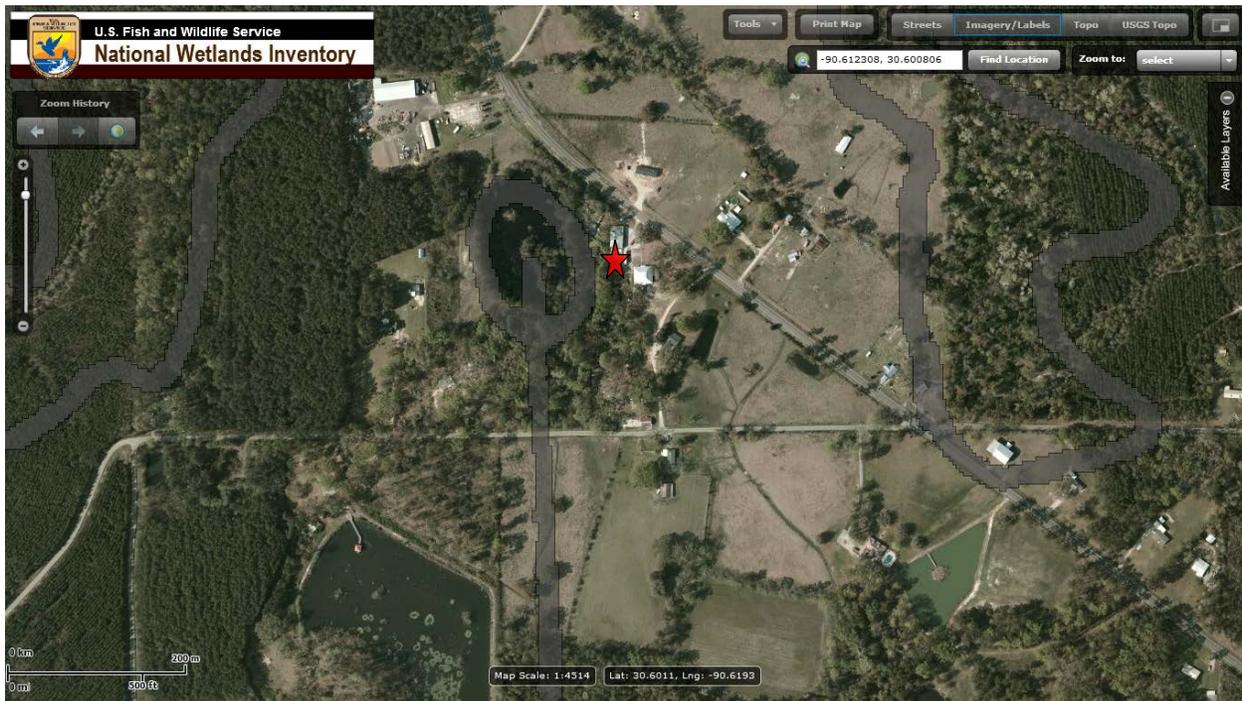


Figure 5, U.S. Fish and Wildlife Service National Wetlands Inventory Map (USFWS, 2014)

4.1.3 Environmental Consequences

Alternative 1 – No Action

The No Action Alternative, would have no effect on wetlands or other waters of the U.S., and would not require permits under Section 404 of the CWA or Section 10 of the RHA.

Alternative 2 – Repair Old 4th Ward School with Upgrades to Current Codes and Standards

This action alternative would have no impact on wetlands or other waters of the United States. FEMA has determined that the location is an urban, previously disturbed site, is not a wetland under E.O. 11990, and has no direct impact to wetlands. The project would not require permits under § 404 of the Clean Water Act or § 10 of the Rivers and Harbors Act.

If the project results in a discharge to waters of the state, a LPDES permit may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater. Care should be taken to avoid placement of any fill material in the area of jurisdictional waters located to the west of the proposed project site; nor should staging of construction equipment occur in this area. In order to minimize indirect impacts (erosion, sedimentation, dust and other construction-related disturbances) to defined drainage areas surrounding the site, the contractor should implement Best Management Practices (BMPs) that meet LDEQ permitting specifications for storm water discharge regulated under §§ 401 and 402 of the CWA, and include the following into the daily operations of the construction activities: silt screens, barriers (*e.g.*, hay bales), berms/dikes, and or fences to be placed where and as needed. Fencing will be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations.

Alternative 3 – Expansion of the Existing Fire Station Building (Proposed Action)

The USFWS NWI map indicates a palustrine open water wetland located approximately 200 feet west of the edge of the proposed project site (*Figure 5*). In comments dated January 9, 2014, EPA advised that jurisdictional waters of the U.S. may occur adjacent to the northwest edge of the proposed project site (*Appendix B, Agency Correspondence*). In comments dated February 13, 2014, the USACE determined that the proposed project site is not a jurisdictional wetland subject to Corps' of Engineers jurisdiction, and that a Department of the Army permit under § 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site (*Appendix B*).

Site plans show that the project would be contained, and project activities conducted, within areas east of the palustrine open water wetland; and USACE has determined that no jurisdictional wetlands exist within the proposed project site. Therefore, FEMA has determined that wetlands and other waters of the United States would not be impacted.

If the project results in a discharge to waters of the state, a LPDES permit may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater. Care should be taken to avoid placement of any fill material in the area of jurisdictional waters located to the west of the proposed project site; nor should staging of construction equipment occur in this area. In order to minimize indirect impacts (erosion, sedimentation, dust and other construction-related disturbances) to defined drainage areas surrounding the site, the contractor should implement BMPs that meet LDEQ permitting specifications for storm water discharge regulated under §§ 401 and 402 of the CWA, and include the following into the daily operations of the construction activities: silt screens, barriers (*e.g.*, hay bales), berms/dikes, and or fences to be placed where and as needed. Fencing will be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations.

4.2 Floodplains

4.2.1 Regulatory Setting

Executive Order 11988, 46 FR 26951 (Floodplain Management) requires Federal agencies avoid direct or indirect support or development within the 100-year floodplain whenever there is a practicable alternative. FEMA's E.O. 11988 compliance regulations are found at 44 CFR Part 9.

4.2.2 Existing Conditions

In July 2005, FEMA initiated a series of flood insurance studies for many of the Louisiana coastal parishes as part of the Flood Map Modernization effort through FEMA's National Flood Insurance Fund. These studies were necessary because the flood hazard and risk information shown on many Flood Insurance Rate Maps (FIRMs) was developed during the 1970s, and the physical terrain had changed significantly, such as major loss of wetland areas. After Hurricanes Katrina and Rita, FEMA expanded the scope of work to include all of coastal Louisiana. The magnitude of the impacts of Hurricanes Katrina and Rita reinforced the urgency to obtain

additional flood recovery data for the coastal zones of Louisiana. More detailed analysis was possible because new data obtained after the hurricanes included information on levees and levee systems, new high-water marks, and new hurricane parameters (LaMP 2007).

During an initial post-hurricane analysis, FEMA determined that the “100-Year” or 1-percent chance storm flood elevations on FIRMs for many Louisiana communities, referred to as Base Flood Elevations (BFEs), were too low. FEMA created recovery maps showing the extent and magnitude of Hurricanes Katrina’s and Rita’s surge, as well as information on other storms over the past 25 years (Lamp 2007). The 2006 advisory flood data shown on the recovery maps for the Louisiana-declared disaster areas show high-water marks surveyed after the storm; flood limits developed from these surveyed points; and Advisory Base Flood Elevations, or ABFEs. The recovery maps and other advisory data were developed to assist parish officials, homeowners, business owners, and other affected citizens with their recovery and rebuilding efforts (LaMP 2007).

Updated preliminary flood hazard maps from an intensive five-year mapping project guided by FEMA were provided to all Louisiana coastal parishes. The maps released in early 2008, known as Preliminary Digital Flood Insurance Rate Maps (DFIRMs), were based on the most technically advanced flood insurance studies ever performed for Louisiana, followed by multiple levels of review. The DFIRMs provided communities with a more scientific approach to economic development, hazard mitigation planning, emergency response and post-flood recovery (LaMP 2007).

The USACE has completed work on a Hurricane and Storm Damage Risk Reduction System (HSDRRS) for the Greater New Orleans (GNO) area (Miller 2011). This 350-mile system of levees, floodwalls, surge barriers, and pump stations will reduce the flood risk associated with a storm event. In September of 2011, the USACE provided FEMA with assurances that the HSDRRS is capable of defending against a storm surge with a one percent (1%) annual chance event of occurring in any given year (Miller 2011). The areas protected include portions of St. Bernard, St. Charles, Jefferson, Orleans, and Plaquemines Parishes. FEMA has revised the preliminary DFIRMS within the HSDRRS to incorporate the reduced flood risk associated with the system improvements.

In November 2012, FEMA revised the 2008 preliminary DFIRMS within the HSDRRS to incorporate the reduced flood risk associated with the system improvements. Where released and available, the 2012 Revised Preliminary DFIRMS are viewed as the best available flood risk data for FEMA’s own grant programs in its implementation of E.O. 11988; however, no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program (Miller 2011).

Livingston Parish enrolled in the NFIP as of 09/30/1988. No Advisory Base Flood Elevation Maps (ABFEs) have been issued for Livingston Parish for floodplain management purposes. Per Revised Preliminary DFIRM panel number 22063C0200E, dated 11/09/2012 (*Figure 6*), the site is located within Zone X, and outside the area of 0.2% annual chance flood (500-year floodplain). The regulatory floodplain is defined by areas inundated by a 100-year or 500-year

rain event (44 CFR § 9.6). Because the proposed project is outside the 500-year floodplain, E.O. 11988 does not require that an 8-step process be completed.

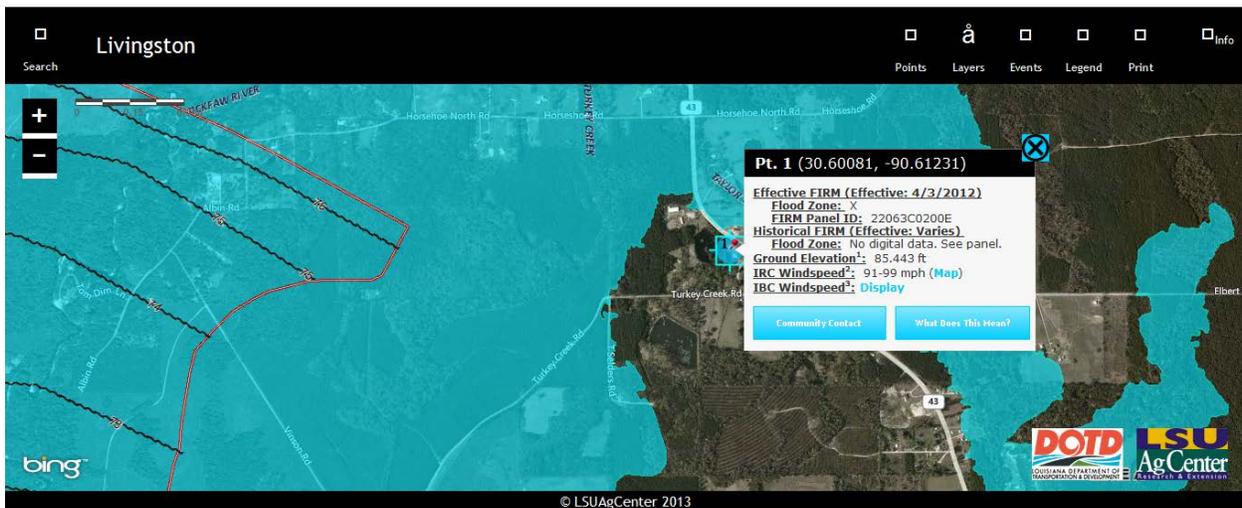


Figure 6 – Revised Digital Flood Insurance Rate Map Panel No. 22063C0200E (FEMA Preliminary Dated November 9, 2012)

4.2.3 Environmental Consequences

Alternative 1 – No Action

Under the No Action Alternative there would be no determinable impact to floodplain elevations.

Alternative 2 – Repair Old 4th Ward School with Upgrades to Current Codes and Standards

The proposed project is located within flood zone X and repair activities would match the prior capacity of the pre-existing facility footprints. There would, therefore, be no determinable effect on floodplain functions and values.

Per 44 CFR 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. No ABFEs have been issued for Livingston Parish or adopted by the Parish for floodplain management purposes. The applicant is, however, required to coordinate with the local floodplain administrator regarding floodplain permit(s). All coordination with the local floodplain administrator, and applicant compliance should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.

Alternative 3 – Expansion of the Existing Fire Station Building (Proposed Action)

The proposed action alternative is located within flood zone X and would, therefore, have no determinable effect on floodplain functions and values. The regulatory floodplain is defined by areas inundated by a 100-year or 500-year rain event (44 CFR § 9.6).

Per 44 CFR 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. No ABFEs have been issued for

Livingston Parish or adopted by the Parish for floodplain management purposes. The applicant is, however, required to coordinate with the local floodplain administrator regarding floodplain permit(s). All coordination with the local floodplain administrator, and applicant compliance should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.

4.3 Coastal Resources

4.3.1 Regulatory Setting

The Coastal Zone Management Act of 1972 (CZMA, or the Act, 16 U.S.C., Ch. 33) encourages the management of coastal zone areas and provides grants to be used in maintaining coastal zone areas. It requires that federal agencies be consistent in enforcing the policies of state coastal zone management programs when conducting or supporting activities that affect a coastal zone. It is intended to ensure that federal activities are consistent with state programs for the protection and, where, possible, enhancement of the nation's coastal zones (16 U.S.C. §§ 1451 and 1452).

The Act's definition of a coastal zone includes coastal waters extending to the outer limit of state submerged land title and ownership, adjacent shorelines, and land extending inward to the extent necessary to control shorelines. A coastal zone includes islands, beaches, transitional and intertidal areas, salt marshes, and wetlands (16 U.S.C. § 1453[1]). The CZMA requires that states develop a State Coastal Zone Management Plan or program and that any federal agency conducting or supporting activities affecting the coastal zone conduct or support those activities in a manner consistent with the approved state plan or program (16 U.S.C. § 1456[c][1][A]). On September 28, 2012, the Louisiana Department of Natural Resources (LDNR), Office of Coastal Management (OCM), issued a letter of general consistency concurrence, "serv[ing] as formal notification that, as of October 1, 2012, the granting of any financial assistance as defined in 15 CFR § 930.91, is fully consistent with the Louisiana Coastal Resources Program." LDNR also regulates development in Louisiana's designated coastal zone through the Coastal Use Permit (CUP) Program (LDNR, 2013).

The USFWS regulates federal funding in Coastal Barrier Resource System (CBRS) units under the Coastal Barrier Resources Act (CBRA, 16 U.S.C., Ch. 55). This Act protects undeveloped coastal barriers and related areas (*i.e.*, Otherwise Protected Areas [OPAs]) by prohibiting direct or indirect Federal funding of projects that support development in these areas (16 U.S.C. §§ 3501, 3504, and 3505). The Act promotes appropriate use and conservation of coastal barriers along the Gulf of Mexico. *Id.*

4.3.2 Existing Conditions

FEMA has determined that the proposed project site is in Livingston Parish, outside the Louisiana Coastal Zone (*Figure 7*). LDNR-OCM concurred with this determination by letter dated January 14, 2014 (*Appendix B*). The proposed project site is not located within a regulated CBRS.

Louisiana Coastal Zone
Act 588 of 2012



Figure 7 – Louisiana Coastal Zone Boundary Map

4.3.3 Environmental Consequences

Alternative 1 – No Action

Under the No Action alternative, there would be no impacts to the Coastal Zone or to a CBRS unit; therefore, no review is required.

Alternative 2 – Repair Old 4th Ward School with Upgrades to Current Codes and Standards

Repair and reconstruction of the storm-damaged structure at the existing site would not involve construction activities within the Louisiana Coastal Management Zone requiring a Coastal Use Permit. The site is not within a CBRS unit and, therefore, does not trigger the CBRA.

Alternative 3 – Expansion of the Existing Fire Station Building (Proposed Action)

The proposed action alternative would not involve construction activities within the Louisiana Coastal Management Zone. In a letter dated January 14, 2014, LDNR-OCM noted that, pursuant to the provisions of Louisiana Revised Statutes § 49:214.25.E, no Coastal Use Permit would be required for this project as proposed (*Appendix B*). The proposed site is not within a CBRS unit; therefore, the Proposed Action Alternative does not trigger the CBRA.

4.4 Biological Resources

4.4.1 Regulatory Setting

The Endangered Species Act (ESA) of 1973 prohibits the taking of listed, threatened, and endangered species unless specifically authorized by permit from the USFWS or the National Marine Fisheries Service (16 U.S.C., Ch. 35). “Take” is defined in ESA § 3 as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct” (16 U.S.C. § 1532[19]). The U.S. Fish and Wildlife Service has further defined “harm” in the definition of “take” to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering. *See* 50 C.F.R. § 17.3; *see also* *Babbit v Sweet Home Chapter of Communities for a Greater Oregon*, 115 S.Ct. 2407).

The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. §§ 703-712) affirms the United States’ commitment to the protection of migratory birds and their habitats and implements various international treaties and conventions (with Canada, Japan, Mexico and former Soviet Union) for the protection of migratory bird resources. The MBTA makes it unlawful to pursue, hunt, take, capture, kill, or sell birds listed in the statute as “migratory birds”; does not discriminate between live or dead birds; and grants full protection to any bird parts, including feathers, eggs, and nests (16 U.S.C. § 703). Executive Order (E.O.) 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds) strengthens the protection of migratory birds and their habitats by directing federal agencies to take certain actions that implement the MBTA.

4.4.2 Existing Conditions

According to the USFWS, Information, Planning, and Conservation (IPaC) online system, accessed on January 24, 2014, one mammal species, the West Indian Manatee (*Trichechus manatus*), one fish species, the Gulf Sturgeon (*Acipenser oxyrinchus desotoi*), one bird species, the Red-Cockaded Woodpecker (*Picoides borealis*), and one clam species, the Alabama Heelsplitter (*Potamilus inflatus*), are federally listed by the USFWS as endangered or threatened and are known to occur in select areas of Livingston Parish (USFWS, IPaC, 2014). Site visits conducted on October 23, 2013 and January 6, 2014 confirmed that the proposed project site is located within a previously disturbed urban area. No state or federal parks, national wildlife refuges, scenic streams, or wildlife management areas are known to exist at or in the vicinity of the proposed site. According to IPaC, no FWS Endangered Species Conservation measures were found for the project location (USFWS, IPaC, 2014).

Birds	Status		Has Critical Habitat	Contact
Red-Cockaded woodpecker (<i>Picoides borealis</i>) Population: Entire	Endangered 	species info		Louisiana Ecological Services Field Office
Clams				
Alabama heelsplitter (<i>Potamilius inflatus</i>) Population: Entire	Threatened 	species info		Louisiana Ecological Services Field Office
Fishes				
Gulf sturgeon (<i>Acipenser oxyrinchus desotoi</i>) Population: Entire	Threatened 	species info	Final designated critical habitat	Louisiana Ecological Services Field Office
Mammals				
West Indian Manatee (<i>Trichechus manatus</i>) Population: Entire	Endangered 	species info	Final designated critical habitat	Louisiana Ecological Services Field Office

Table 1 – Federally Listed Species Known to Occur in Livingston Parish

4.4.3 Environmental Consequences

Alternative 1 – No Action

The No Action alternative would entail no undertaking and would, therefore, have no determinable impact on any species federally listed as threatened or endangered.

Alternative 2 – Repair Old 4th Ward School with Upgrades to Current Codes and Standards

Repair of the existing building to pre-disaster condition would have no impact on species federally listed as threatened or endangered, migratory birds or federally listed critical habitats. The U.S. Fish and Wildlife Service has interpreted Section 7(p) of the Endangered Species Act to mean that restoring any infrastructure damaged or lost due to the hurricane back to its original footprint does not require ESA consultation per USFWS letter of September 15, 2005.

Alternative 3 – Expansion of the Existing Fire Station Building (Proposed Action)

The proposed project has been reviewed by the USFWS for effects to federal trust resources under their jurisdiction and currently protected by the Endangered Species Act of 1973. In correspondence dated February 19, 2014, the USFWS stated that the project, as proposed, would have no effect on federal trust resources under USFWS jurisdiction and currently protected by the ESA (*Appendix B*). A similar review was conducted by the LDNR, Office of Wildlife, Natural Heritage Program (LNHP). In correspondence dated January 10, 2014, the LNHP stated that the project as proposed would have no anticipated impact to any rare, threatened, or endangered species or critical habitats (*Appendix B*).

4.5 Cultural Resources

4.5.1 Regulatory Setting

The consideration of impacts to historic and cultural resources is mandated under Section 101(b)4 of the National Environmental Policy Act (NEPA) as implemented by 40 CFR, Parts 1501-1508. Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account their effects on historic properties (*i.e.*, historic and cultural resources) and allow the Advisory Council on Historic Preservation an opportunity to comment. FEMA has chosen to address potential impacts to historic properties through the “Section 106 consultation process” of the NHPA as implemented through 36 CFR, Part 800.

In order to fulfill its Section 106 responsibilities, FEMA has initiated consultation on this project in accordance with the Statewide Programmatic Agreement (Statewide PA), dated August 17, 2009, and amended on July 22, 2011, between FEMA, the Louisiana State Historic Preservation Officer (SHPO), the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP), the Alabama-Coushatta Tribe of Texas, the Caddo Nation, the Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Tunica-Biloxi Tribe of Louisiana, and the Advisory Council on Historic Preservation (<http://www.fema.gov/new-orleans-metropolitan-area-infrastructure-projects-2#2>). The 2009 Statewide PA, as amended, was created to streamline the Section 106 review process.

The "Section 106 process" outlined in the PA requires the identification of historic properties that may be affected by the proposed action or alternatives within the project's area of potential effects (APE). Historic properties, defined in Section 101(a)(1)(A) of NHPA, include districts, sites (archaeological and religious/cultural), buildings, structures, and objects that are listed in or determined eligible for listing in the National Register of Historic Places (NRHP). Historic properties are identified by qualified agency representatives in consultation with interested parties. Below is a consideration of various alternatives and their effects on historic properties.

4.5.2 Existing Conditions

FEMA Historic Preservation staff consulted the National Register of Historic Places (NRHP) database, and the Louisiana Cultural Resources Map on May 6, 2013, and determined that the standing structure Area of Potential Effect (APE) is not located within a NRHP-listed historic district; however, based on previous consultations, the APE includes one potential historic property. In a letter dated January 12, 2006, FEMA requested an eligibility determination for the Old Fourth Ward School. On January 18, 2006, SHPO responded with a determination that the Old Fourth Ward School is potentially eligible for the NRHP. Project files and historic United States Geological Survey (USGS) maps were consulted and a site visit carried out on October 23, 2013 by FEMA Historic Preservation Staff. The 1949 and 1978 Albany 7.5' USGS quad maps and the site visit confirm that the Old Fourth Ward School retains integrity. Therefore, for the purposes of this consultation, FEMA is treating the Old Fourth Ward School as eligible for the NRHP. The Livingston Parish Fire Prevention District No. 11 Fire Station, to which an addition is proposed to be made, is less than 50 years of age. A small temporary shed building located to the south of the fire station, is also less than 50 years of age.

Property Description	Date Built	FEMA DOE for Inclusion in the NRHP	Date of SHPO Concurrence
Old Fourth Ward School	ca. 1917	Eligible for inclusion in the NRHP	November 25, 2013
Shed	ca. 2006	Is less than 50 years old and is not eligible for inclusion in the NRHP under Criterion G	November 25, 2013
Livingston Parish District 11 Fire Station	1995	Is less than 50 years old and is not eligible for inclusion in the NRHP under Criterion G	November 25, 2013

Table 2 Summary of FEMA's NRHP Determination of Eligibility (DOE)

Upon consultation of data provided by the SHPO on October 21, 2013, there are no recorded archaeological sites or surveys within one mile of the archaeological APE. The earliest identified map of the APE is the 1949 USGS topographic map. The Old Fourth Ward School is on the map with nothing else within the immediate vicinity. There are no Sanborn Fire Insurance maps for the area. On October 23, 2013, a single auger probe was dug 80cm within the archaeological APE. The entire 80cm was comprised of yellow sand, with more clay intermixing in the sand deeper in the probe. No archaeological material was identified within the probe or on the surface within the archaeological APE. The soils within the APE are identified on the state soils map as Myatt-Satsuma-Olivier, an uplands or terrace loess; however, an on-site analysis of the soil identifies it as Dexter fine sandy loam. Based on all the available evidence, it is unlikely that intact NRHP-eligible archaeological deposits would be uncovered within the APE as there are no recorded archaeological sites within one mile, the earliest construction is the Old Fourth Ward School, and the site visit identified no archaeological material within the auger probe or on the surface of the archaeological APE.

4.5.3 Environmental Consequences

Alternative 1 – No Action

This alternative does not include any FEMA undertaking; therefore FEMA has no further responsibilities under Section 106 of the NHPA.

Alternative 2 – Repair Old 4th Ward School with Upgrades to Current Codes and Standards

FEMA, in consultation with SHPO, has determined that the Old Fourth Ward School is eligible for the NRHP. Although in-kind repairs would not result in an adverse effect, changes to the building resulting from current codes and standards requirements do have the potential to adversely affect the former school. This alternative would require further Section 106 review.

Alternative 3 – Expansion of the Existing Fire Station Building (Proposed Action)

FEMA has determined that there will be “No Adverse Effect” to historic properties for this alternative. SHPO concurrence with this determination was received, dated November 25, 2013 (*Appendix B*). Consultation with affected tribes (Alabama-Coushatta Tribe of Texas, Choctaw Nation of Oklahoma, Coushatta Tribe of Louisiana, Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Seminole Nation of Oklahoma, and the Tunica-Biloxi Tribe of Louisiana) was conducted per FEMA’s Programmatic Agreement dated August 17, 2009 and amended on July 22, 2011. The Coushatta Tribe of Louisiana and the Choctaw Nation of Oklahoma submitted written concurrence with the determination (*Appendix B*). The remaining Tribes did not object within the regulatory timeframes; therefore, in accordance with Stipulation VIII.E(1) of the Statewide PA and 36 C.F.R., part 800.5(c)1, FEMA may proceed with funding the undertaking assuming concurrence. The applicant must comply with the NHPA conditions set forth in this EA (Louisiana Unmarked Human Burial Sites Preservation Act and Inadvertent Discovery Clause).

4.6 Air Quality

4.6.1 Regulatory Setting

The Clean Air Act (CAA) of 1963 (42 U.S.C., Ch. 85), as amended, provides for federal protection of air quality by regulating air pollutant sources and setting emissions standards for certain air pollutants. Under the CAA, the United States Environmental Protection Agency (EPA) establishes primary and secondary air quality standards (42 U.S.C. §§ 7408 and 7409); and states adopt ambient air quality standards in order to protect the public from potentially harmful amounts of airborne pollutants. Primary air quality standards protect the public health, including the health of “sensitive populations, such as people with asthma, children, and older adults” (EPA, 2013). Secondary air quality standards protect the public welfare by promoting ecosystems health, and preventing impaired visibility and reducing damage to crops and buildings (EPA, 2013). The EPA has set National Ambient Air Quality Standards (NAAQS) for the following six criteria pollutants: ozone (O₃), particulate matter (PM_{2.5}, PM₁₀), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), and lead (Pb) (EPA, 2013); and has designated specific areas as NAAQS attainment or non-attainment areas (NAAs). Non-attainment areas are any areas that do not meet the quality standard for a pollutant, while attainment areas do meet ambient air quality standards. NAAs are classified by the EPA as marginal, serious, severe, or extreme, based on the severity of the area’s air quality problems.

A State Implementation Plan (SIP) is an enforceable plan developed at the state level that explains how the state will comply with federal air quality standards. 40 C.F.R. § 51.100(j). The General Conformity Rule (GCR), codified at 40 C.F.R. Part 51, subpart W, and 40 C.F.R. Part 93, subpart B, was created to ensure that actions by the federal government comply with national ambient air quality standards and neither cause nor aggravate a NAAQS violation, nor delay a state’s timely attainment of standards (*i.e.*, the GCR aims to prevent federal projects from jeopardizing a state’s ability to achieve air quality standards). Title I of the CAA requires that the state government of any state with an area or areas designated in nonattainment of federal air quality standards adopt and submit an attainment demonstration SIP. Federal agencies must demonstrate that every undertaking approved, permitted or supported by the agency will conform to the appropriate SIP (40 C.F.R. §§ 93.150). The SIP for the State of Louisiana is codified at Louisiana Administrative Code (LAC) 33:III.

The GCR currently applies to all federal actions that are taken in designated nonattainment or maintenance areas, with the following exceptions: (1) actions covered by the transportation conformity rule; (2) actions with associated emissions clearly at or below specified *de minimis* levels; (3) actions listed as exempt in the rule; or, (4) actions covered by a Presumed-to-Conform approved list. 40 C.F.R. § 93.153(c). GCR *de minimis* emission levels (exception “2” above) were created by the EPA with the intent to limit the need to conduct conformity determinations for actions with minimal emission increases; are defined in 40 C.F.R. § 93.153(b); and represent the minimum threshold for which a conformity determination must be performed for various criteria pollutants in various areas. The EPA lists *de minimis* emission levels for each criteria pollutant using annual emission rates in tons per calendar year (*Table 3*). The *de minimis* levels for nonattainment areas in Louisiana are identified in LAC 33.III.1405.B, and are identical to those identified in the federal statute at 40 C.F.R. § 93.153(b).

When the total direct and indirect emissions from the project or action are clearly below the *de minimis* levels, the project or action would not be subject to a conformity determination, and may proceed. 40 C.F.R. §§93.153(b) and (c); *see also* LAC 33.III.1405.B (conformity determinations are not required where the total of direct and indirect emissions in a nonattainment or maintenance area caused by a federal action would not equal or exceed any of the rates in LAC 33.III.1405.B.1 or B.2). If, on the other hand, emissions are equal or exceed 40 C.F.R. §93.153 or LAC 33.III.1405.B *de minimis* levels, a general conformity determination must be made by the federal agency involved. LDEQ requests a “general conformity applicability determination” in order to demonstrate that a formal conformity determination is not required. Project-associated emissions are quantified using (1) direct emissions, and (2) indirect emissions within the scope of the federal agency’s authority. *See* 40 C.F.R. § 93.153(a). As an example, qualifying emissions for a federal facility construction project paid for and operated with federal monies and directly controlled by the federal agency would include both (1) direct emissions from construction activities and, (2) indirect on-site emissions from vehicles of federal personnel associated with the federal facility. In contrast, state or local projects funded pursuant to FEMA’s Public Assistance grant program would likely not include measurable indirect emissions from federal action, allowing the air applicability determination analysis to be based solely upon direct emissions for estimated construction hours.

Pollutant	Area Type	Tons/Year
Ozone (VOC or NOx)	Serious nonattainment	50
	Severe nonattainment	25
	Extreme nonattainment	10
	Other areas outside an ozone transport region	100
Ozone (NOx)	Marginal and moderate nonattainment inside an ozone transport region	100
	Maintenance	100
Ozone (VOC)	Marginal and moderate nonattainment inside an ozone transport region	50
	Maintenance within an ozone transport region	50
	Maintenance outside an ozone transport region	100
Carbon monoxide, SO ₂ and NO ₂	All nonattainment & maintenance	100
PM-10	Serious nonattainment	70
	Moderate nonattainment and maintenance	100
PM _{2.5} Direct emissions, SO ₂ , NO _x (unless determined not to be a significant precursor), VOC or ammonia (if determined to be significant precursors)	All nonattainment & maintenance	100
	Lead (Pb)	All nonattainment & maintenance

Table 3 – 40 C.F.R. §93.153(b) General Conformity *De Minimis* Levels

4.6.2 Existing Conditions

In correspondence dated February 13, 2014 and March 10, 2014, the LDEQ confirms that Livingston Parish is currently classified by the EPA as an NAAQS non-attainment area for ozone and has general conformity determination obligations (*Appendix B*). Livingston Parish is EPA designated as a marginal nonattainment area, outside an Ozone Transport Region (OTR, a group of northeast states for which the CAA has set specific requirements). Pursuant to both 40 C.F.R. § 93.153(b), and LAC 33:III.1405.B.1, the applicable rate and *de minimis* threshold for direct and indirect ozone emissions (Volatile Organic Compounds [VOCs] or mono-Nitrogen Oxides [NO_x]) is 100 tons per year for each of the two ozone precursors.

4.6.3 Environmental Consequences

Alternative 1 – No Action

Under the No Action alternative, there would be no short or long term impacts to air quality because no construction would occur.

Alternative 2 – Repair Old 4th Ward School with Upgrades to Current Codes and Standards

Repair of the Old 4th Ward School in its original footprint would temporarily impact air quality in the form of increased emissions during construction. The efforts would be localized and of short duration. Compliance with the Clean Air Act has been fully coordinated with the Air Quality Section of the LDEQ. Emissions from construction activities related to this action alternative are anticipated to be less than those for the proposed action alternative, calculated using methods described in LAC 33:III.1411 and found to be *de minimis*, thereby eliminating the need for a general conformity determination.

The contractor shall be responsible for implementing Best Management Practices (BMPs) to reduce fugitive dust generation and emission criteria pollutants. BMPs would include watering down construction areas when necessary to minimize particulate matter and dust, keeping fuel-burning equipment running times at a minimum, maintaining and covering spoil piles, covering the loads of haul vehicles, and keeping construction equipment properly tuned and maintained. Long term emissions associated with the reconstructed facility, such as those generated by small engines used for lawn maintenance and offsite generation of electrical power, are expected to be minor and comparable to emissions generated by the previously existing facilities.

Alternative 3 – Expansion of the Existing Fire Station Building (Proposed Action)

Under the Proposed Action Alternative, minor impacts to air quality would be anticipated from movement of heavy equipment during demolition, excavation and construction activities. The effects would be localized and of short duration.

Compliance with the Clean Air Act has been fully coordinated with the Air Quality Section of the LDEQ. Pursuant to LAC 33:III.1405.B, an air quality determination for emissions from the proposed federal action was calculated using methods described in LAC 33:III.1411. No other indirect federal action is anticipated, or would likely be required or related to the proposed construction actions; and it is likely that indirect emissions, if they would occur, would be negligible. Therefore, the air applicability determination analysis was based upon direct emissions for estimated construction hours.

FEMA's air quality determination analysis for the proposed project resulted in a finding of anticipated VOC emissions of no more than 1.32 tons, and NO_x emissions of no more than 0.24 tons, for a total of approximately 1.56 tons of ozone emissions generated for the proposed construction alternative. By correspondence dated March 10, 2014, LDEQ stated that, based upon the project information submitted, LDEQ and the Air Quality Section had no objections to the action as proposed (*Appendix B*).

Considering that total emissions for each work item separately, or even all work items in the aggregate, would not exceed the threshold limit applicable to VOC or NO_x for parishes where the most stringent requirement (50 tons per year in serious non-attainment parishes) is in effect, (*see* SIP, LAC 33:III.1405.B.1), the VOC emissions for the proposed construction would be classified as *de minimis* and no further action would be required.

The contractor shall be responsible for implementing Best Management Practices (BMPs) to reduce fugitive dust generation and emission criteria pollutants. BMPs would include watering down construction areas when necessary to minimize particulate matter and dust, keeping fuel-burning equipment running times at a minimum, maintaining and covering spoil piles, covering the loads of haul vehicles, and keeping construction equipment properly tuned and maintained. Long term emissions associated with the reconstructed facility, such as those generated by small engines used for lawn maintenance and offsite generation of electrical power, are expected to be minor and comparable to emissions generated by the previously existing facilities.

4.7 Hazardous Materials

4.7.1 Regulatory Setting

The management of hazardous materials is regulated under various federal and state environmental and transportation laws and regulations, including the Resource Conservation and Recovery Act (RCRA) (42 U.S.C., Ch. 82); the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C., Ch. 103); the Toxic Substances Control Act of 1976 (TSCA) (15 U.S.C., Ch. 53); the Emergency Planning and Community Right-to-Know Act (42 U.S.C., Ch. 116); the Hazardous Materials Transportation Act (49 U.S.C., Ch. 51); and the Louisiana Voluntary Investigation and Remedial Action statute (La. R.S. 30:2285-2290). The purpose of the regulatory requirements set forth under these laws is to ensure the protection of human health and the environment through proper management (identification, use, storage, treatment, transport, and disposal) of these materials. Some of these laws provide for the investigation and cleanup of sites already contaminated by releases of hazardous materials, wastes, or substances.

The TSCA authorizes the EPA to protect the public from “unreasonable risk of injury to health or the environment” by regulating the introduction, manufacture, importation, sale, use and disposal of specific new or already existing chemicals. “New Chemicals” are defined as “any chemical substance which is not included in the chemical substance list compiled and published under [TSCA] section 8(b).” Existing chemicals include any chemical currently listed under § 8(b), including polychlorinated biphenyls (PCBs), asbestos, radon, lead-based paint, chlorofluorocarbons, dioxin and hexavalent chromium.

TSCA Subchapter I, “Control of Toxic Substances” (§§ 2601-2629), regulates the disposal of PCB products, sets limits for PCB contamination of the environment, and authorizes the remediation of sites contaminated with PCB. Subchapter II, “Asbestos Hazard Emergency Response” (§§ 2641-2656), authorizes the EPA to impose requirements for asbestos abatement in schools, and requires accreditation of those who inspect asbestos-containing materials. Subchapter IV, “Lead Exposure Reduction” (§§ 2681-2692), requires the EPA to identify sources of lead contamination in the environment, to regulate the amounts of lead allowed in products, and to establish state programs that monitor and reduce lead exposure.

4.7.2 Existing Conditions

This section describes the potential for prior releases of hazardous materials to the environment at the proposed site, or close enough to the proposed site to have affected its surface soils or subsurface media (soils and groundwater). This EA also evaluates the potential for the proposed project to use hazardous materials, generate hazardous wastes, and release hazardous substances.

EPA and LDEQ database searches for the proposed project site revealed that there are no hazardous waste, Louisiana Volunteer Remedial Program (VRP)/Brownfield sites, or leaking underground storage tank sites (LUSTs) located on or in close proximity to the proposed site. No sites of concern were found during a review of the Electronic Document Management System (EDMS) database for other hazardous waste management and disposal, solid waste disposal, enforcement, and other databases on or within .5 miles of the proposed site. There are no recorded oil or gas wells on or near the project site. The site has no record or indication of past or present hazardous waste activities.

4.7.3 Environmental Consequences

Alternative 1 – No Action

The No Action Alternative would not disturb any hazardous materials or create any potential hazard to human health.

Alternative 2 – Repair Old 4th Ward School with Upgrades to Current Codes and Standards

No hazardous materials, wastes, or substances, including contaminated soil or groundwater, have been identified at the proposed site. Repair and reconstruction of the facility in its original footprint would not disturb any hazardous materials or create potential hazard to human health.

Alternative 3 – Expansion of the Existing Fire Station Building (Proposed Action)

No hazardous materials, wastes, or substances, including contaminated soil or groundwater, have been identified at the proposed site. If hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination should be initiated in accordance with applicable federal, State, and local rules and regulations.

Project construction may involve the use of hazardous materials (*e.g.*, petroleum products, cement, caustics, acids, solvents, paints, electronic components, pesticides/herbicides and fertilizers, treated timber), and may result in the generation of small amounts of hazardous wastes. Best management practices and appropriate measures to prevent, minimize, and control

spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated disposed of in accordance with applicable federal, state, and local requirements. All construction activities are required to be coordinated with LDEQ prior to initiating any work.

4.8 Environmental Justice

4.8.1 Regulatory Setting

Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” was signed on February 11, 1994. The Executive Order directs federal agencies to make achieving environmental justice part of their missions by identifying and addressing, as appropriate, disproportionately high adverse human health, environmental, economic, and social effects of its programs, policies and activities on minority or low-income populations.

4.8.2 Existing Conditions

Socioeconomic and demographic data for the project area was reviewed to determine if the proposed action would have a disproportionate adverse impact on minority or low-income persons. According to the U.S. Census Bureau Fact Finder website for Livingston Parish zip code 70443, 2010 population percentages were as follows: 65.3% white; 30.2% Black or African American; 5.3% Hispanic; 0.7% Asian; and 0.4% Native American. The 2008-2012 American Community Survey five-year median household income for Livingston Parish zip code 70443 is \$34,572, and 26.6% of families earn below the poverty level (U.S. Census Bureau, 2014).

4.8.3 Environmental Consequences

In compliance with EO 12898, the following key questions were addressed with regard to potential environmental justice concerns:

- Is there an impact caused by the proposed action? Yes. The decision to expand the District No 11 fire station in lieu of repairing the Old 4th Ward School will provide a modern training and meeting facility for the fire district and the public, and provide an improved facility benefitting Livingston Parish public safety personnel and, ultimately, the community at large.
- Is the impact adverse? No. LPFPD will be better able to serve the community; and the public will benefit from a modern meeting facility.
- Has an action been undertaken without considerable input by the affected low-income and or minority community? No. The draft Environmental Assessment and draft FONSI will be available for public review at the Livingston Parish Public Library at 20390 Iowa Street, Livingston, Louisiana 70754, and the Albany-Springfield Branch at 26941 LA Highway 43, Hammond, LA 70403. There will be a fifteen (15) day comment period.

Alternative 1 – No Action

The No Action Alternative would result in lost facilities and functions not being replaced, thus potentially depriving the community of important services and resulting in adverse or disproportionate impacts on all populations, including minority or low-income populations.

Alternative 2 – Repair Old 4th Ward School with Upgrades to Current Codes and Standards

Repair of Old 4th Ward School with upgrades to current codes and standards would likely bestow some level of social and or economic benefit to area residents, and would not result in disproportionate adverse impacts to low-income or minority populations.

Alternative 3 – Expansion of the Existing Fire Station Building (Proposed Action)

The Proposed Action would have no disproportionate adverse human health, economic, or social effects on low-income or minority populations. The project would provide long term benefits to the community by effecting needed training and meeting space and other improvements to an existing fire station facility, thereby heavily assisting the LPFPD’s public safety efforts and benefitting all residents of the community.

5.0 CUMULATIVE IMPACTS

The Council on Environmental Quality’s (CEQ) regulations state that cumulative impacts represent the “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 C.F.R. § 1508.7).

In its comprehensive guidance on cumulative impacts analysis under NEPA, the CEQ notes that: “[t]he range of actions that must be considered includes not only the project proposal, but all connected and similar actions that could contribute to cumulative effects” (CEQ, 1997). The term “similar actions” may be defined as “reasonably foreseeable or proposed agency actions [with] similarities that provide a basis for evaluating the environmental consequences together, such as common timing or geography.” 40 C.F.R. § 1508.25(a)(3); *see also* 40 C.F.R. §§ 1508.25(a)(2) and (c).

Not all potential issues identified during cumulative effects scoping need be included in an EA. Because some effects may be irrelevant or inconsequential to decisions about the proposed action and alternatives, the focus of the cumulative effects analysis should be narrowed to important issues of national, regional, or local significance. To assist agencies in this narrowing process, CEQ lists seven (7) basic questions, including: (1) is the proposed action one of several similar past, present, or future actions in the same geographic area; (2) do other activities (governmental or private) in the region have environmental effects similar to those of the proposed action; (3) have any recent or ongoing NEPA analyses of similar actions or nearby actions identified important adverse or beneficial cumulative effect issues; and, (4) has the impact been historically significant, such that the importance of the resource is defined by past loss, past gain, or investments to restore resources (CEQ, 1997, Table 2-1).

It is normally insufficient when analyzing the contribution of a proposed action to cumulative effects to merely analyze effects within the immediate area of the proposed action (CEQ, 1997, pg. 12). Geographic boundaries should be expanded for cumulative effects analysis, and conducted on the scale of human communities, landscapes, watersheds, or airsheds. Temporal frames should be extended to encompass additional effects on the resources, ecosystems, and

human communities of concern. A useful concept in determining appropriate geographic boundaries for a cumulative effects analysis is the project impact zone; *i.e.*, the area (and resources within that area) that could be affected by the proposed action. The area appropriate for analysis of cumulative effects will, in most instances, be a larger geographic area occupied by resources outside of the project impact zone.

The proposed project site is located at 38815 Highway 43, within the 70443 zip code geographic area (*Figure 8*). FEMA has determined that the area within a .5 mile radius of the site constitutes an appropriate project impact zone, and the larger geographic area consisting of the 70443 zip code constitutes an appropriate geographic boundary, for a cumulative impact analysis of the proposed action and alternatives.

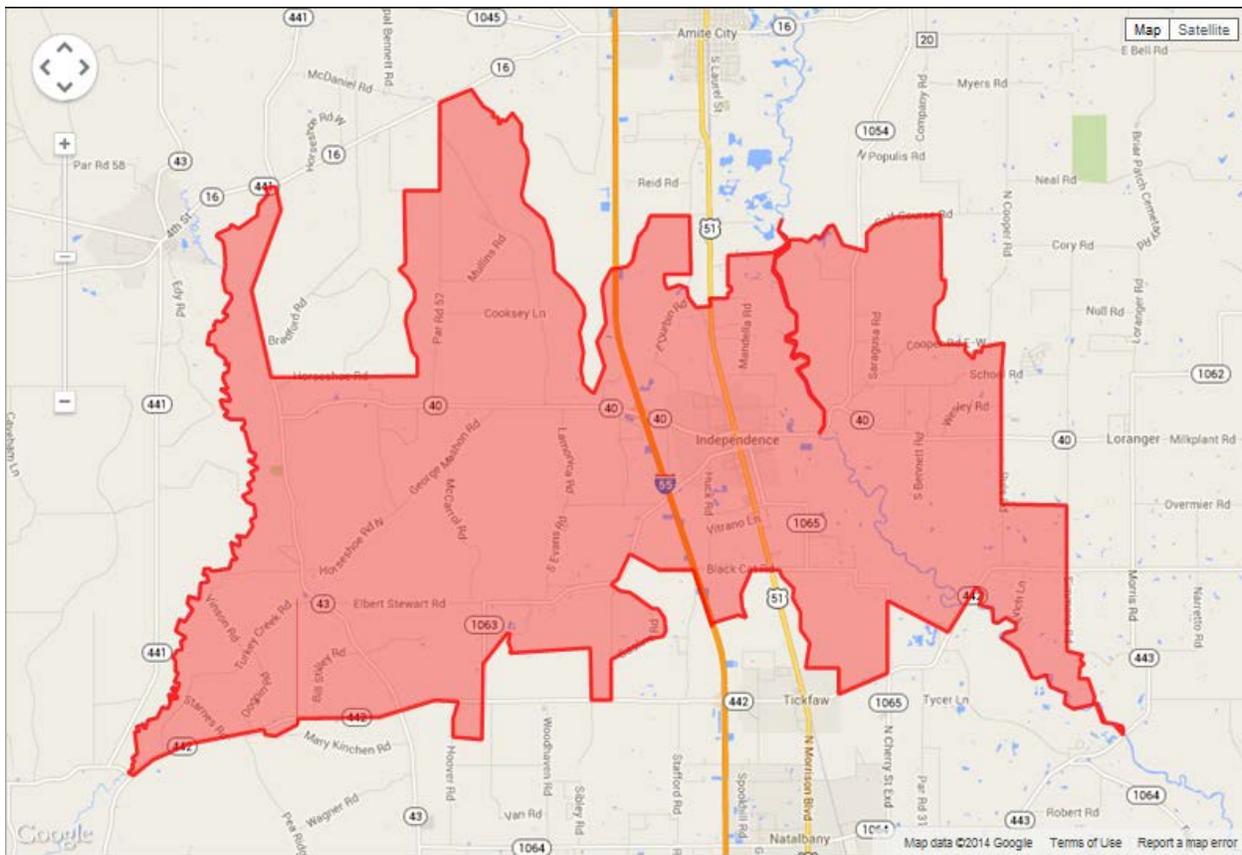


Figure 8 – Geographic Boundary Map for the 70443 Zip Code Area (Google 2014)

In accordance with NEPA, and to the extent reasonable and practicable, this draft EA considered the combined effects of the Proposed Action Alternative and other actions undertaken by FEMA and other public and private entities that affect environmental resources the proposed action would affect, and that occur within the considered geographic area and temporal frame(s).

Specifically, a range of past, present and reasonably foreseeable actions undertaken by FEMA within the designated geographic boundary area were reviewed: (1) for similarities such as scope of work, common timing and geography; (2) to determine environmental effects similar to those of the proposed action, if any; and (3) to identify the potential for cumulative impacts.

FEMA also reviewed past, present and reasonably foreseeable projects of federal resource agencies and other parties within the designated geographic boundary. These reviews were performed in order to assess the proposed actions and effects of completed and ongoing actions, and to determine whether the incremental impact of the instant proposed action, when combined with the effects of other past, present, and reasonably foreseeable future projects, are cumulatively considerable or significant.

Numerous FEMA funded and non-FEMA funded, debris removal, protective measures, and repair projects have occurred, are occurring, or are reasonably foreseen to occur (developed with enough specificity to provide useful information to a decision maker and the interested public) within the zip code 70443 to buildings, roads, recreational and educational facilities, and public utilities (*Figure 9*). Since August 2005, 79 FEMA PA projects have been approved for federal funding within zip code 70443. These FEMA PA undertakings are divided into six (6) categories: Cat A – debris removal (3.7%); Cat B – emergency protective measures (31.6%); Cat C – roads and bridges (2.5%); Cat D – water control facilities (0.0%); Cat E – public buildings (58.2%); Cat F – public utilities (2.5%); and Cat G – recreational or other (1.0%).

Each project aims to restore the function of pre-existing infrastructure with minimal impacts to the natural and human environment. Mitigation measures for impacted resources have been implemented where possible and where required.

All FEMA funded actions are subjected to various levels of environmental review as a requirement for the receipt of federal funding. An applicant's failure to comply with any required environmental permitting or other condition is a serious violation which can result in the loss of federal assistance, including funding.

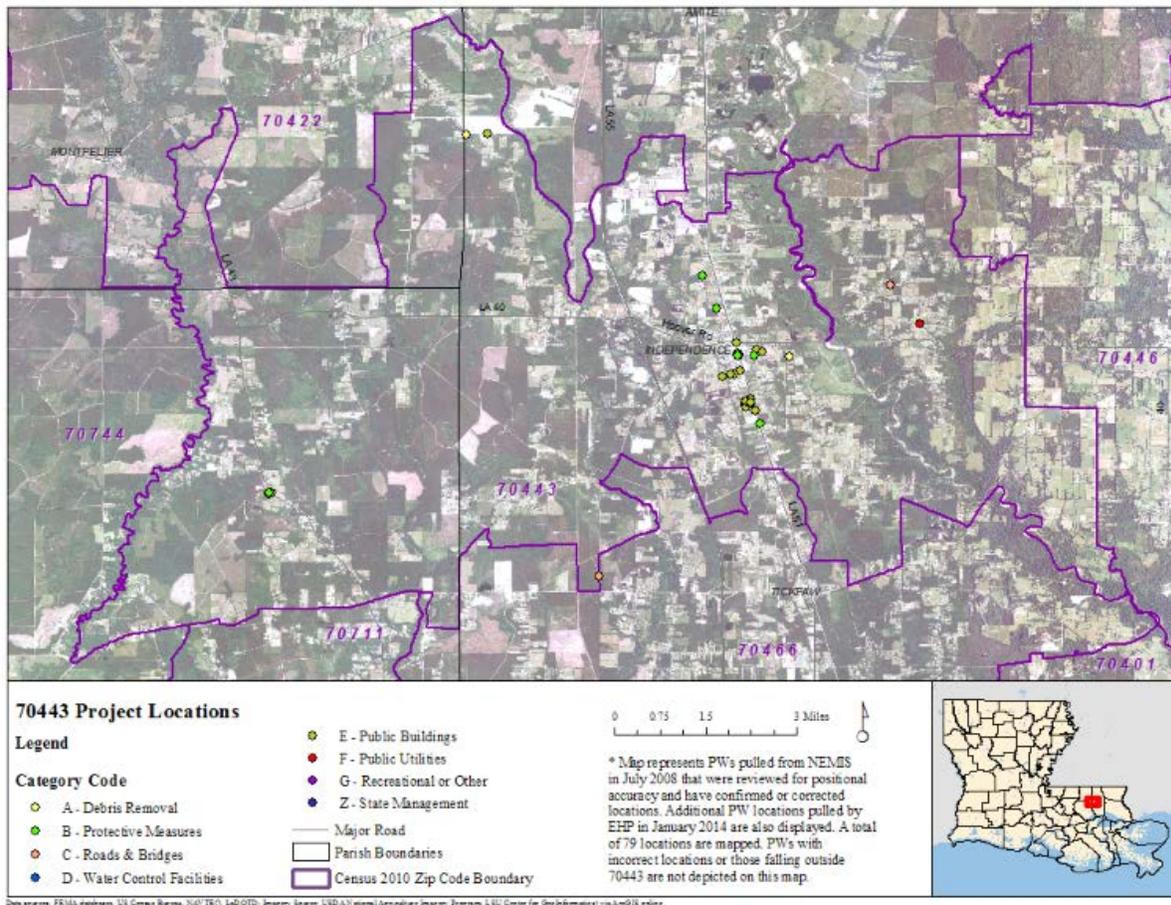


Figure 9 – FEMA-Funded Public Assistance Projects Occurring Within the 70443 Area Code

FEMA has determined that the incremental effects of the other infrastructure recovery and improvement actions are likely to be similar to the impacts and effects described in this EA for the present proposed action, in that the effects to socioeconomic resources are expected to be beneficial, and effects to other similar resources expected to be either non-existent, or minimal and temporary. FEMA has further determined that the incremental impact of the present proposed project, when combined with the effects of other past, present, and reasonably foreseeable future projects, are neither cumulatively considerable nor significant.

These infrastructure actions, some of which have already occurred, and many of which will occur concurrent with and or subsequent to the proposed action, are necessary as a result of the unprecedented devastation caused by the 2005 hurricanes, in order to restore pre-disaster conditions. In reviewing impacts, socioeconomic resources were identified as having the most potential to experience cumulative effects. Although devastating, the 2005 storms created an opportunity for the Applicant to serve residents in the project area and surrounding neighborhoods by repairing, reconstructing, improving and restoring the functions of pre-existing infrastructure. Considered in relation to past, present, and reasonably foreseeable future actions, the cumulative impact of the proposed action to the built and natural environment would be minimal, would be beneficial rather than detrimental, and is not expected to contribute to any adverse effects or to otherwise significantly affect the human environment.

6.0 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 CNO prior to and during project implementation.

- Applicant is required to comply with all state, federal and local laws and regulations. In accordance with applicable local, state, and federal regulations, the Applicant is responsible for acquiring any necessary permits and or clearances prior to the commencement of any construction related activities.
- New construction must be compliant with current codes and standards. Per 44 C.F.R. § 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. The applicant is required to coordinate all construction activities with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities, and remain in compliance with formally adopted local floodplain ordinances. All coordination pertaining to these permit(s) should be documented and provided to the local floodplain administrator, to the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP), and to FEMA as part of the permanent project file. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.
- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present with the project area, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (LA Revised Statutes 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.
- Inadvertent Discovery Clause: 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, and others as appropriate.
- Project construction may 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 amounts 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 hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment,

remediation and management of the contamination should be initiated in accordance with applicable federal, state, and local regulations.

- A Louisiana Pollution Discharge Elimination System (LPDES) may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If required to do so by LDEQ, the Applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution Protection plan approved by LDEQ to prevent sediment and construction material transport from the project site. The Applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- The Applicant should ensure that best management practices that meet the LDEQ permitting specifications for storm water discharge regulated under §§ 401 and 402 of the CWA are implemented in order to minimize indirect impacts (erosion, sedimentation, dust and other construction-related disturbances) to the nearby waters of the United States and well defined drainage areas surrounding the site, and include the following into the daily operations of the construction activities: silt screens, barriers (*e.g.*, hay bales), berms/dikes, and or fences to be placed where and as needed. Fencing should be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations.
- To reduce potential short term effects to air quality from construction related activities, the contractor should use BMPs to reduce fugitive dust generation and diesel emissions. The contractor should water down construction areas when necessary to minimize particulate matter and dust. To reduce emission criteria pollutants, fuel-burning equipment running times should be kept at a minimum and engines should be properly maintained.
- Construction traffic should be closely monitored and controlled as appropriate. All construction activities should be conducted in a safe manner in accordance with Occupational Safety and Health Act (OSHA) requirements.

7.0 AGENCY CONSULTATION

FEMA is the lead federal agency for the NEPA compliance process for this Public Assistance Project. It is the responsibility of the lead agency to conduct the preparation and review of NEPA documents in a way that is responsive to the needs of the Parish communities while meeting the spirit and intent of NEPA and complying with all NEPA provisions. As part of the development of early interagency coordination related to the proposed action, state and federal resource protection agencies were contacted and FEMA distributed an informal scoping notification through a Solicitation of Views.

These resource agencies include the Louisiana State Historical Preservation Officer, U.S. Fish and Wildlife Service, the Governor's Office of Homeland Security and Emergency Preparedness, Louisiana Department of Environmental Quality, Louisiana Department of Wildlife and Fisheries, U.S. Environmental Protection Agency, Louisiana Department of Natural Resources, and the U.S. Army Corps of Engineers.

FEMA has received no objections to the project as proposed subsequent to these notifications. Comments and conditions received from the agencies have been incorporated into this Environmental Assessment (*Appendix B*).

In accordance with applicable local, state, and federal regulations, the applicant would be responsible for acquiring any necessary permits prior to commencing construction at the proposed project site.

8.0 PUBLIC INVOLVEMENT

FEMA has invited the public to comment on the proposed action during a fifteen (15) day comment period. A public notice will be published for three (3) days in two local newspapers, *The Baton Rouge Advocate* and *The Livingston Parish News*, announcing the availability of the draft EA for review at the Livingston Parish Main Public Library at 20390 Iowa Street, Livingston, LA 70754, and the Albany-Springfield Branch at 26941 LA Highway 43, Hammond, LA 70403. A copy of the Public Notice is attached in Appendix C.

9.0 LIST OF PREPARERS

Tiffany Spann-Winfield	Acting Environmental Liaison Officer, FEMA, LRO
Shelly A. R. Chichester	Environmental Protection Specialist, FEMA, LRO
Joel Caldwell	Environmental Protection Specialist, FEMA LRO
LeSchina Holmes	Lead Environmental Protection Specialist, FEMA, LRO
Richard Williamson	Archaeologist/Historic Preservation Specialist, FEMA, LRO
Annette Carroll	Historic Preservation Specialist, FEMA, LRO

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Executive Order 12898, Environmental Justice for Low Income and Minority Populations. 1994. 59 Fed. Reg. 7629

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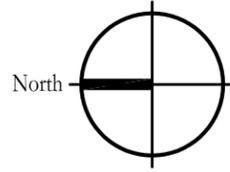
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Appendix A
Proposed Site Plans and Designs



Preliminary Site Plan





DISCLAIMER: THE INFORMATION IN THIS DRAWING WAS PREPARED BY HOLLY AND SMITH ARCHITECTS, APAC USING ON-SITE MEASUREMENTS WITHOUT THE USE OF PROFESSIONAL SURVEYING EQUIPMENT; THEREFORE, A DEGREE OF ERROR IS INHERENT IN THE DRAWING. THIS DRAWING IS NOT MEANT TO SERVE AS AN OFFICIAL BOUNDARY OR PROPERTY SURVEY AND FURTHER DETAILED ON-THE-GROUND SURVEYS AND ANALYSIS OF THE SITE MAY DIFFER FROM THE INFORMATION SHOWN. NEITHER HOLLY AND SMITH ARCHITECTS, APAC OR THOSE ASSOCIATED WITH HOLLY AND SMITH ARCHITECTS, APAC MAKES ANY WARRANTY, EXPRESSED OR IMPLIED, OR ASSUMES ANY LEGAL LIABILITY OR RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION SHOWN IN THIS DRAWING.

HIGHWAY 43

EXIST. WATER METER
 EXIST. WATER LINE
 EXIST. WATER TOWER
 30° 36' 03.8118" N
 90° 36' 44.2290" W
 30° 36' 03.9312" N
 90° 36' 44.8128" W
 EXISTING GENERATOR
 EXISTING SEPTIC TANK
 30° 36' 03.9378" N
 90° 36' 45.0030" W

EXISTING FIRE STATION

EXISTING CONCRETE PARKING & DRIVE
 EXISTING TRAINING TOWER
 EXISTING RADIO TOWER

NEW CONCRETE PARKING & DRIVE

NEW WATER LINE

EXISTING O.H. POWER POLE & BLDG. SERVICE ENTRY
 30° 36' 03.7758" N
 90° 36' 44.8230" W

OLD 4TH WARD SCHOOL

EXISTING RESTROOM BUILDING

EXISTING DOORS AND WINDOWS TO BE SECURED WITH PAINTED 3/4" MARINE PLYWOOD

EXISTING SHED

EXTENTS OF NEW ADDITION, 1,500 SF (APPROX.)

FILL REQUIRED FOR BUILDING PAD
 NEW RADIO ROOM & CONNECTING CORRIDOR

30° 36' 03.1680" N
 90° 36' 44.7440" W

PROPERTY LINE

PROPERTY LINE

PROPERTY LINE

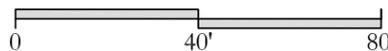
PROPERTY LINE

PROPERTY LINE

1

PRELIMINARY SITE PLAN - OPTION 2

SCALE: 1" = 40'-0"



Livingston Fire District 11

Alternate Project, Fema PW # 4372

independence, louisiana

DRAWN BY PM

PROJECT NO 11045

DATE 08.29.13

OPT. 2

H/S

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HOLLY & SMITH ARCHITECTS, APAC
 3015 N OLE BIENNE STREET
 MONROE, LOUISIANA 70131
 PHONE: 337-335-7000 / FAX: 337-335-7001

Appendix B
Agency Correspondence



JAY DARDENNE
LIEUTENANT GOVERNOR

State of Louisiana
OFFICE OF THE LIEUTENANT GOVERNOR
DEPARTMENT OF CULTURE, RECREATION & TOURISM
OFFICE OF CULTURAL DEVELOPMENT

CHARLES R. DAVIS
DEPUTY SECRETARY

PAM BREUX
ASSISTANT SECRETARY

November 25, 2013

Ms. Katherine Zeringue
Environmental Liaison Officer
Federal Emergency Management Agency
FEMA Mail Center— First Floor
1 Seine Ct.
New Orleans, LA 70114

RE: Section 106 Review Consultation, Hurricane Katrina, FEMA-1603-DR-LA
Applicant: Livingston Parish Fire Prevention District 11
Undertaking: Addition to District 11 Fire Station, Latitude: 30.6007, Longitude: -
90.61221, Independence, Livingston Parish, Louisiana (A/I # 2024)
Determination: No Adverse Effect to Historic Properties

Dear Ms. Zeringue:

Thank you for your letter dated November 14, 2013 and received November 15, 2013 regarding the above referenced project. We understand that the Federal Emergency Management Agency (FEMA) will be providing funds authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, in response to a major Disaster Declaration designated as FEMA-1603-DR-LA, and dated August 29, 2005, as amended.

Furthermore, we understand that FEMA through its Public Assistance Program proposes to fund an addition to the District 11 Fire Station in Independence, Louisiana (Undertaking). Compliance with Section 106 of the National Historic Preservation Act, as amended, is in accordance with the *Programmatic Agreement among FEMA, the Louisiana State Historic Preservation Officer, the Louisiana Governor's Office of Homeland Security and Emergency Preparedness, the Alabama-Coushatta Tribe of Texas, the Caddo Nation, the Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Tunica-Biloxi Tribe of Louisiana, and the Advisory Council on Historic Preservation*, executed on August 17, 2009 and amended on July 22, 2011 (2009 Statewide PA as amended).

We recognize that the Area of Potential Effects (APE) for the built environment consists of the area proposed for construction, the Old Fourth Ward School, and relevant portions of the associated view shed. With regard to archaeological resources, we agree that the archaeological APE measures 0.36 acres and includes all ground-disturbing activities and staging areas. Both APEs are presented on Figure 2 of your letter.

We understand that the APE is not located within a historic district that is listed in the National Register of Historic Places (NRHP). Furthermore, the APE for the built environment includes the Old Fourth Ward School, which was the subject of a previous consultation in 2006. At that time, FEMA requested an eligibility determination and on January 18, 2006, SHPO concluded that the Old Fourth Ward School was potentially eligible for listing in the NRHP. Regarding the current Undertaking, we concur with FEMA's determination that the Old Fourth Ward School is eligible for listing in the NRHP.

Table 1. FEMA Determination of Eligibility (DOE) for inclusion in the NRHP and Date of SHPO Concurrence.

Property Description	Date Built	FEMA DOE for Inclusion in the NRHP	Date of SHPO Concurrence
Old Fourth Ward School	ca. 1917	Eligible for inclusion in the NRHP	November 25, 2013
Shed	ca. 2006	Is less than 50 years old and is not eligible for inclusion in the NRHP under Criterion G	November 25, 2013
Livingston Parish District 11 Fire Station	1995	Is less than 50 years old and is not eligible for inclusion in the NRHP under Criterion G	November 25, 2013

With regard to archaeological resources, we understand that FEMA performed standard background review utilizing the requisite Louisiana Division of Archaeology files and other applicable source data to determine past land-use conditions within the APE. According to your letter, there are no recorded archaeological sites within a one-mile radius of the project area. The earliest map identified was a 1949 USGS topographic map that identified the Old Fourth Ward School and nothing else within the surrounding vicinity. A FEMA archaeologist inspected the project area and excavated a single auger probe; they did not identify any cultural material. The soils within the archaeological APE consist of Myatt-Satsuma-Olivier, an upland or terrace loess. However, a FEMA environmental specialist examined the soils and concluded the soils appear to be a Dexter fine sandy loam. Therefore, given the limited historical development of the area, the lack of recorded sites surrounding the project area and absence of cultural material, it seems unlikely there will be archaeological sites eligible for the NRHP within the archaeological APE.

Based on the information provided in your letter, we agree that the Undertaking will not adversely affect the Old Fourth Ward School in a manner that may alter, directly or indirectly, any of the characteristics that qualify the historic properties for inclusion in the NRHP. Therefore, we concur with FEMA's determination that the Undertaking would result in **No Adverse Effects to Historic Properties.**

Ms. Katherine Zeringue
November 25, 2013
Page 3

For more information, please contact Andrea White at (504) 762-2941,
andrea.white@associates.fema.dhs.gov, or Sherry Anderson (504) 762-2911,
sherry.anderson@associates.dhs.gov.

Sincerely,



Pam Breaux
State Historic Preservation Officer

PB: aw/sa:s

Chichester, Shelly

From: Johnnie L. Jacobs <jjacobs@choctawnation.com>
Sent: Monday, December 16, 2013 22:55
To: Williamson, Richard
Subject: FW: FEMA 106: Livingston Parish Fire Prevention District 11

Dear Richard,

The Choctaw Nation of Oklahoma is unaware of any Choctaw cultural or sacred sites located within the immediate project area. We concur that there should be no adverse effects to any known historic properties and that work should proceed as planned. However, as the project is located in an area that is of general historic interest to the Tribe, we request that work be stopped and our office contacted immediately if any Native American cultural materials are encountered. This stipulation should be placed on the construction plans to insure contractors are aware of it. Please feel free to contact me with any further questions or concerns.

Thank you,

Ms. Johnnie Jacobs
NHPA Section 106 Coordinator
Choctaw Nation of Oklahoma
Historic Preservation Department
P.O. Box 1210
Durant, OK 74701
jjacobs@choctawnation.com

From: Ian Thompson
Sent: Friday, November 15, 2013 11:06 AM
To: Johnnie L. Jacobs
Subject: FW: FEMA 106: Livingston Parish Fire Prevention District 11

From: Williamson, Richard [<mailto:Richard.Williamson@fema.dhs.gov>]
Sent: Friday, November 15, 2013 9:25 AM
To: Ian Thompson
Subject: FEMA 106: Livingston Parish Fire Prevention District 11

Dear Ian:

Attached please find FEMA's consultation letter for the below project:

RE: Section 106 Review Consultation, Hurricane Katrina, FEMA-DR-1603-LA

Undertaking: Addition to District 11 Fire Station, Independence, Livingston Parish, Louisiana (30.6007, -90.61221) (AI#2024)

Applicant: Livingston Parish Fire Prevention District 11

Determination: No Adverse Effect to Historic Properties

Please let me know if you need anything further to complete your review.

Sincerely,

Richard Williamson
Archaeologist
FEMA Louisiana Recovery Office
1 Seine Court, New Orleans, LA 70114
504-762-2086
richard.williamson@fema.dhs.gov

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure. If you have received this message in error, you are hereby notified that we do not consent to any reading, dissemination, distribution or copying of this message. If you have received this communication in error, please notify the sender immediately and destroy the transmitted information. Please note that any view or opinions presented in this email are solely those of the author and do not necessarily represent those of the Choctaw Nation.

Chichester, Shelly

From: Linda Langley, Ph.D. <llangley@mcneese.edu>
Sent: Friday, November 15, 2013 11:31
To: Williamson, Richard
Cc: Michael Tarpley
Subject: Re: FEMA 106: Livingston Parish Fire Prevention District 11

Richard,

We agree with your determination of No Adverse Effect to Historic Properties for FEMA-DR-1603-LA, and do not require additional information at this time.

Thank you,
Linda Langley, THPO

----- Original Message -----

From: "Richard Williamson" <Richard.Williamson@fema.dhs.gov>
To: "llangley@mcneese.edu" <llangley@mcneese.edu>
Cc: "kokua aina57" <kokua.aina57@gmail.com>
Sent: Friday, November 15, 2013 9:26:34 AM
Subject: FEMA 106: Livingston Parish Fire Prevention District 11

Dear Dr. Langley:

Attached please find FEMA's consultation letter for the below project:

RE: Section 106 Review Consultation, Hurricane Katrina, FEMA-DR-1603-LA

Undertaking: Addition to District 11 Fire Station, Independence, Livingston Parish, Louisiana (30.6007, -90.61221)
(AI#2024)

Applicant: Livingston Parish Fire Prevention District 11

Determination: No Adverse Effect to Historic Properties

Please let me know if you need anything further to complete your review.

Sincerely,

Richard Williamson

Archaeologist

FEMA Louisiana Recovery Office

1 Seine Court, New Orleans, LA 70114

504-762-2086

richard.williamson@fema.dhs.gov

--

If you talk to a man in a language he understands, that goes to his head.
If you talk to him in his language, that goes to his heart.

Nelson Mandela, S. African Statesman (1918 -) Nobel Prize Winner 1993



BOBBY JINDAL
GOVERNOR

State of Louisiana
DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF WILDLIFE

ROBERT J. BARHAM
SECRETARY
JIMMY L. ANTHONY
ASSISTANT SECRETARY

Date January 10, 2014

Name Shelly Chichester

Company FEMA

Street Address 1 Seine Court

City, State, Zip New Orleans, LA 70114

Project Livingston Parish Fire Prevention District No. 11
Fire Station Addition

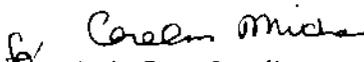
Project ID 142014

Invoice Number 14011002

Personnel of the Habitat Section of the Coastal & Nongame Resources Division have reviewed the preliminary data for the captioned project. After careful review of our database, no impacts to rare, threatened, or endangered species or critical habitats are anticipated for the proposed project. No state or federal parks, wildlife refuges, scenic streams, or wildlife management areas are known at the specified site within Louisiana's boundaries.

The Louisiana Natural Heritage Program (LNHP) has compiled data on rare, endangered, or otherwise significant plant and animal species, plant communities, and other natural features throughout the state of Louisiana. Heritage reports summarize the existing information known at the time of the request regarding the location in question. The quantity and quality of data collected by the LNHP are dependent on the research and observations of many individuals. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Louisiana have not been surveyed. This report does not address the occurrence of wetlands at the site in question. Heritage reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. LNHP requires that this office be acknowledged in all reports as the source of all data provided here. If at any time Heritage tracked species are encountered within the project area, please contact the LNHP Data Manager at 225-765-2643. If you have any questions, or need additional information, please call 225-765-2357.

Sincerely,


Amity Bass, Coordinator
Natural Heritage Program



Lafayette ES, FW4 <lafayette@fws.gov>

FW: Solicitation of Views (SOV) - FEMA Project: Livingston Parish Fire Prevention District No. 11, Fire Station Addition

1 message

Chichester, Shelly <Shelly.Chichester@fema.dhs.gov>
To: "Lafayette@fws.gov" <Lafayette@fws.gov>

Thu, Feb 13, 2014 at 9:36 AM

Please see below message, sent to Amy Trahan; out of office message received.

From: Chichester, Shelly
Sent: Thursday, February 13, 2014 09:22 AM
To: amy_trahan@fws.gov; Amy.E.Powell@usace.army.mil
Cc: Spann, Tiffany; Holmes, Leschina
Subject: FW: Solicitation of Views (SOV) - FEMA Project: Livingston Parish Fire Prevention District No. 11, Fire Station Addition

Good Morning;

A Solicitation of Views (SOV) for the above referenced project was sent to your agency by FEMA EHP on January 9, 2014, with a request that agency comments or objections be forwarded within 30 days (please see attachment and the e-mail below). To date ,no response has been received from your agency. It is possible that such response may have been misplaced in the mail system.

As such, I would very much appreciate it if you could either resend any prior response to the SOV, or indicate that no comments will be forthcoming from your agency for this proposed project.

Thanks very much.

Shell Chichester

(This finding has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed,
 Will have no effect on those resources
 Is not likely to adversely affect those resources.
This finding fulfills the requirements under Section 7(a)(2) of the Act.

Patricia Holland 2/19/2014
Acting Supervisor Date
Louisiana Field Office
U.S. Fish and Wildlife Service

From: Chichester, Shelly
Sent: Thursday, January 09, 2014 07:02 AM
To: Linda.hardy@la.gov; Amy.E.Powell@usace.army.mil; cmichon@wlf.la.gov; amy_trahan@fws.gov; Karl.Morgan@la.gov; gutierrez.raul@epa.gov
Cc: Holmes, Leschina; Lewis, Emma L; Anchors, Rusty (CTR)
Subject: Solicitation of Views (SOV) - FEMA Project: Livingston Parish Fire Prevention District No. 11, Fire Station Addition



FEMA

U.S.

Department of Homeland Security

FEMA-DR 1603/1607 LA

1 Seine Court

New Orleans, LA 70114

January 8, 2014

MEMORANDUM TO: See Distribution

SUBJECT: Scoping Notification/Solicitation of Views – Livingston Parish Fire Prevention

District No. 11, Fire Station Addition

To Whom It May Concern:

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) is mandated by the U.S. Congress to administer Federal disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. The Stafford Act authorizes FEMA's Public Assistance Program to provide grant assistance to eligible applicants for, among other things, debris removal, emergency protective measures, and the repair, replacement or restoration of eligible disaster damaged facilities, and may include mitigation measures to lessen future damages.

On and around August 29, 2005, high winds, wind-driven rain and storm surge generated by Hurricane Katrina caused considerable damage to the Old Fourth Ward School in Livingston Parish, LA. The Old Fourth Ward School is located within the general vicinity of, and next door to, an existing Livingston Parish, Fire District #11 Fire Station (*Figure 2*).

The original scope of work approved for funding by FEMA was for repair of the Old Fourth Ward School to its pre-storm function and capacity. The applicant has, however, instead requested an alternate project that would construct a new, 1,500 square foot, building addition to the rear of the existing District 11 Fire Station. The proposed new structure would require a new driveway, parking lot, water line, and utility hookups (*Figure 2 and 3*).

Linda M. Hardy

Technical Assistant to the Deputy Secretary
Louisiana Department of Environmental Quality
Office of the Secretary
P.O. Box 4301
Baton Rouge, LA 70821-4301
Ph: (225) 219-3954
Fax: (225) 219-3971
Email: linda.hardy@la.gov

Chichester, Shelly

From: Linda (Brown) Hardy <Linda.Hardy@la.gov>
Sent: Monday, March 10, 2014 02:55 PM
To: Chichester, Shelly
Cc: Yasoob Zia
Subject: DEQ SOV 140110/0005 Livingston Parish District No. 11, Fire Station Addition

March 10, 2014

Shelly A. R. Chichester
Environmental Protection Specialist
FEMA Louisiana Recovery Office
1 Seine Court, New Orleans, LA
70114
Shelly.chichester@fema.dhs.gov

RE: 140110/0005 Livingston Parish District No. 11, Fire Station Addition
FEMA Funding
Livingston Parish

Dear Ms. Chichester:

The Department of Environmental Quality (LDEQ), Business and Community Outreach Division has received your request for comments on the above referenced project.

After reviewing your request, the Department has no objections based on the information provided in your submittal. However, for your information, the following general comments have been included. Please be advised that if you should encounter a problem during the implementation of this project, you should immediately notify LDEQ's Single-Point-of-contact (SPOC) at (225) 219-3640.

- Please take any necessary steps to obtain and/or update all necessary approvals and environmental permits regarding this proposed project.
- If your project results in a discharge to waters of the state, submittal of a Louisiana Pollutant Discharge Elimination System (LPDES) application may be necessary.
- If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater.
- All precautions should be observed to control nonpoint source pollution from construction activities. LDEQ has stormwater general permits for construction areas equal to or greater than one acre. It is recommended that you contact the LDEQ Water Permits Division at (225) 219-9371 to determine if your proposed project requires a permit.
- If your project will include a sanitary wastewater treatment facility, a Sewage Sludge and Biosolids Use or Disposal Permit application or Notice of Intent may be required. Additional information may be obtained on the LDEQ website at <http://www.deq.louisiana.gov/portal/tabid/2296/Default.aspx> or by contacting the LDEQ Water Permits Division at (225) 219- 9371.
- If any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps directly regarding permitting issues. If a Corps permit is required, part of the application process may involve a water quality certification from LDEQ.
- All precautions should be observed to protect the groundwater of the region.
- Please be advised that water softeners generate wastewaters that may require special limitations depending on local water quality considerations. Therefore if your water system improvements include water softeners, you are advised to contact the LDEQ Water Permits to determine if special water quality-based limitations will be necessary.
- Any renovation or remodeling must comply with LAC 33:III.Chapter 28, Lead-Based Paint Activities; LAC 33:III.Chapter 27, Asbestos-Containing Materials in Schools and State Buildings (includes all training and accreditation); and LAC 33:III.5151, Emission Standard for Asbestos for any renovations or demolitions.

- If any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents are encountered during the project, notification to LDEQ's Single-Point-of-Contact (SPOC) at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous constituents.

Currently, Livingston Parish is classified as nonattainment with the National Ambient Air Quality Standards. The Department has no objections regarding this project based on the information provided; however, if the project scope changes in the future, please notify LDEQ before implementation.

Please send all future requests to my attention. If you have any questions, please feel free to contact me at (225) 219-3954 or by email at linda.hardy@la.gov.

Sincerely,

Linda M. Hardy

Technical Assistant to the Deputy Secretary
Louisiana Department of Environmental Quality
Office of the Secretary
P.O. Box 4301
Baton Rouge, LA 70821-4301
Ph: (225) 219-3954
Fax: (225) 219-3971
Email: linda.hardy@la.gov

BOBBY JINDAL
GOVERNOR



STEPHEN CHUSTZ
SECRETARY

State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

01/14/2014

U.S. DEPARTMENT OF HOMELAND SECURITY - FEMA
1 SEINE COURT
NEW ORLEANS, LA 70114

RE: P20140023, Solicitation of Views
U.S. DEPARTMENT OF HOMELAND SECURITY - FEMA
Description: Construction of a 1,500 square foot addition to the rear of the Livingston Parish Fire Prevention District No. 11 Fire Station through a FEMA Public Assistance Program Grant
Location: Lat. 30° 36' 03.02"N, Long. 90° 36' 44.21"W; 33815 Highway 43 North, Independence, LA 70443
Livingston Parish, LA

Dear Shelly A.R. Chichester:

We have received your Solicitation of Views for the above referenced project, which has been found to be outside the Louisiana Coastal Zone. Therefore, pursuant to the provisions of LA R.S. 49:214.25.E, a Coastal Use Permit will not be required.

This determination is valid for two (2) years from the date of this letter. If the proposed activity is not initiated within this 2-year period, this determination will expire and the applicant will be required to submit a new application. Please note that your solicitation packet has not been forwarded to the USACE, or any other agency outside of OCM and the Parish local coastal program. If you would like a determination from other regulatory and/or resource agency(ies) regarding this project, please submit your request directly to that/those agency(ies) from which you would like a determination.

This determination has been made on the basis of information provided by your application. If it is later established that you furnished erroneous data, you may be directed to alter or modify your plans, to remove structures you have installed, and/or to restore the work area to pre-project conditions at your own expense. If it is established that you knowingly furnished erroneous data, you could also be subject to legal action.

The drawings submitted with your referenced application are attached hereto and made a part of the record. If you have any questions regarding this authorization, please contact our office at (225) 342-7591 or (800) 267-4019.

Sincerely,

A handwritten signature in black ink that reads "Keith Lovell". The signature is written in a cursive style with a grey rectangular background behind it.

Keith Lovell
For Karl L. Morgan,

Administrator
Keith Lovell/sz

Attachments

Final Plats:

1) [P20140023](#) [Final Plats](#) [01/09/2014](#)

cc: Jessica Diez, OCM w/plats
Craig Leblanc, CMD/FI w/plats



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2739

January 9, 2014

Shelly Chichester
Environmental and Historical Preservation Program
U.S. Department of Homeland Security
FEMA-DR 1603/1607 LA
1 Seine Court
New Orleans, Louisiana 70114

Dear Ms. Chichester:

The U.S. Environmental Protection Agency (EPA) has completed your request for a solicitation of views concerning the Old Fourth Ward School, located in Independence, Livingston Parish. The comments that follow are being provided relative to the EPA's *404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (40 CFR Part 230)*.

Our preliminary review revealed that jurisdictional waters of the U.S. may occur adjacent to the northwest edge of the site. While the footprint of the proposed project does not sit within the suspected wetlands, care should be taken to avoid placement of any fill material in this area. Staging of construction equipment should also not occur within wetlands. At this time, the EPA does not object to the project as proposed. Thanks for the opportunity to review the proposed project. If you have any questions or would like to discuss the issue further, please do not hesitate to contact me at (214) 665-6697.

Sincerely yours,

A handwritten signature in cursive script that reads "Raul Gutierrez".

Raul Gutierrez, Ph.D.
Wetlands Section
Water Quality Protection Division



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P. O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

FEB 13 2014

REPLY TO
ATTENTION OF

Operations Division
Operations Manager,
Completed Works

Ms. Shelly A. R. Chichester
Environmental and Historical Preservation
FEMA-DR 1603/1607 LA
1 Seine Court
New Orleans, Louisiana 70114

Dear Ms. Chichester:

This is in response to the Solicitation of Views request dated January 8, 2014, concerning the Livingston Parish fire prevention district #11 fire station addition, in Livingston Parish, Louisiana.

We have reviewed your request for potential Department of the Army regulatory requirements and impacts on any Department of the Army projects.

We do not anticipate any adverse impacts to any Corps of Engineers projects.

Based on review of recent maps, aerial photography, and soils data, we have determined that this property is not in a wetland subject to Corps' of Engineers jurisdiction. A Department of the Army permit under Section 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site.

You are advised that this jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revision prior to the expiration date or the District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

Off-site locations of activities such as borrow, disposals, haul-and detour-roads and work mobilization site developments may be subject to Department of the Army regulatory requirements and may have an impact on a Department of the Army project.

Please contact Mr. Robert Heffner, of our Regulatory Branch by telephone at (504) 862-1288, or by e-mail at Robert.A.Heffner@usace.army.mil for questions concerning wetlands determinations or need for on-site evaluations. Questions concerning regulatory permit requirements may be addressed to Mr. John Herman by telephone at (504) 862-1581 or by email at John.M.Herman@usace.army.mil.

Future correspondence concerning this matter should reference our account number MVN-2014-00257-SE. This will allow us to more easily locate records of previous correspondence, and thus provide a quicker response.

Sincerely,

A handwritten signature in black ink that reads "Karen L. Clement". The signature is written in a cursive, flowing style.

Karen L. Clement
Solicitation of Views Manager

Appendix C
Public Notice

**FEMA'S PUBLIC NOTICE OF AVAILABILITY FOR
LIVINGSTON PARISH FIRE PROTECTION DISTRICT -
OLD 4TH WARD SCHOOL (FIRE STATION ADDITION),
LIVINGSTON PARISH, LOUISIANA,
DRAFT ENVIRONMENTAL ASSESSMENT AND
DRAFT FINDING OF NO SIGNIFICANT IMPACT**

Interested parties are hereby notified that the Federal Emergency Management Agency (FEMA) has prepared a Draft Environmental Assessment (DEA) for the proposed construction of an addition to the Livingston Parish Fire Protection District No. 11 (LPFPD) fire station building located at 33815 Highway 43 North in Independence, Louisiana, 70443, Livingston Parish, Latitude 30.60084, Longitude -90.61228.

The proposed action would expand the District No. 11 fire station by building an addition at the rear of the existing structure. The newly constructed addition would be approximately 1,500 SF and include a communications room, meeting and training space for fire safety personnel and the public, and interior storage space for fire trucks. A new air conditioning system, water line, parking lot and driveway would be installed or constructed to accommodate the new building addition. The site would be leveled using fill material; and the new structure would tie into existing municipal water and electrical lines.

LPFPD seeks federal grant funds for this action eligible under a Presidential disaster declaration, signed on August 29, 2005 (FEMA-1603-DR-LA). Per the National Environmental Policy Act (42 U.S.C. 4371 *et seq.*), and associated environmental statutes, a DEA has been prepared to evaluate the proposed action's potential impacts on the human and natural environment. This DEA summarizes the purpose and need, site selection process, alternatives to the proposed action, and potential environmental consequences associated with the proposed action.

The DEA and draft Finding of No Significant Impact (FONSI) will be available for public review at the Livingston Parish Main Library at 20390 Iowa Street, Livingston, Louisiana 70754 (hours are 9:00 AM to 6:00 PM, Mon. & Wed., 9:00 AM to 8:00 PM Tues. & Thurs., 9:00 AM to 5:00 PM Fri., and 9:00 AM to 3:00 PM Sat.), and at the Albany-Springfield Branch at 26941 LA Highway 43, Hammond, LA 70403 (hours are 9:00 AM to 6:00 PM, Mon. & Wed., 9:00 AM to 8:00 PM Tues. & Thurs., 9:00 AM to 5:00 PM Fri., and 10:00 AM to 2:00 PM Sat.). The DEA can also be viewed and downloaded from FEMA's website: <http://www.fema.gov/media-library/search/OldFourthWardSchool>. The public notice will run in the local newspapers, *The Livingston Parish News*, on May 15, 18 and 22, 2014, and *The Baton Rouge Advocate*, on May 20, 21 and 22, 2014. The comment period will begin on May 23, 2014, and end June 6, 2014 at 4 pm. Written comments on the DEA/Draft FONSI or related matters can be faxed to FEMA's Louisiana Recovery Office at (504) 762-2323; email to FEMA-NOMA@fema.dhs.gov; or mailed to FEMA Louisiana Recovery Office, EHP – LPFPD, Old 4th Ward School DEA, 1 Seine Court, New Orleans, Louisiana 70114.

Based on FEMA's findings to date, no significant adverse environmental effects are anticipated. However, if FEMA receives new information that results in a change from no adverse effects then FEMA would revise the findings and issue a second public notice allowing time for additional comments. If no substantive comments are received, the DEA and associated draft FONSI will become final and this initial Public Notice will also serve as the final Public Notice. Substantive comments will be addressed as appropriate in the final documents.

Appendix D
Draft FONSI



FEMA

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

**DRAFT FINDING OF NO SIGNIFICANT IMPACT
LIVINGSTON PARISH FIRE PROTECTION DISTRICT NO. 11
OLD FOURTH WARD SCHOOL (FIRE STATION ADDITION)
INDEPENDENCE, LIVINGSTON PARISH, LOUISIANA
*FEMA-1603-DR-LA***

Introduction

As a result of damages from Hurricane Katrina on August 29, 2005, the Federal Emergency Management Agency (FEMA) was authorized under a 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.

In accordance with 44 CFR Part 10, FEMA's regulations to implement the National Environmental Policy Act (NEPA), an Environmental Assessment (EA) was prepared. The purpose of the EA was to analyze the potential environmental impacts associated with the construction of an addition to the Livingston Parish Fire Protection District No. 11 (LPFPD) fire station building, and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Proposed Action

The proposed action is for the construction of a building addition at the rear of the existing LPFPD No. 11 fire station building, so as to provide needed firefighter training, storage and meeting space and other important public safety functions. The new addition would consist of an approximately 1,500sf building and include a communications room, training space for firefighter personnel, meeting space for firefighter personnel and members of the public, and interior storage space for fire trucks. The new facility would be climate controlled with a new air conditioning system, and include a new water line, parking lot and driveway. Ground disturbing activities would be limited to those areas needed to level and construct the foundation, stage construction materials, install utilities, and construct associated driveway and parking areas.

Findings

FEMA has evaluated the proposed project for significant adverse impacts to water resources (wetlands, floodplains and other waters), coastal resources, biological resources, cultural resources, air quality, hazardous materials and environmental justice. During the construction period, short-term impacts to air quality are anticipated. All short-term impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas.

Conditions

The following conditions must be met as part of the implementation of the project. Failure to comply with these conditions may jeopardize federal funds:

- Applicant is required to comply with all state, federal and local laws and regulations. In accordance with applicable local, state, and federal regulations, the applicant is responsible for acquiring any necessary permits and or clearances prior to the commencement of any construction related activities.
- New construction must be compliant with current codes and standards. Per 44 C.F.R. § 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. The Applicant is required to coordinate all construction activities with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities, and remain in compliance with formally adopted local floodplain ordinances. All coordination pertaining to these permit(s) should be documented and provided to the local floodplain administrator, to the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP), and to FEMA as part of the permanent project file. Per 44 CFR § 9.11(d)(9), mitigation or minimization standards must be applied, where possible.
- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present with the project area, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (LA Revised Statutes 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.
- Inadvertent Discovery Clause: 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, and others as appropriate.
- Project construction may 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 amounts 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 hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination should be initiated in accordance with applicable federal, state, and local regulations.
- A Louisiana Pollution Discharge Elimination System (LPDES) permit may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If required to do so by LDEQ, the Applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution Protection plan approved by LDEQ to prevent sediment and construction material transport from the project site. The Applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- The Applicant should ensure that best management practices that meet the LDEQ permitting specifications for storm water discharge regulated under §§ 401 and 402 of the CWA are implemented in order to minimize indirect impacts (erosion, sedimentation, dust and other construction-related disturbances) to the nearby waters of the United States and well defined drainage areas surrounding the site, and include the following into the daily operations of the construction activities: silt screens, barriers (*e.g.*, hay bales), berms/dikes, and or fences to be placed where and as needed. Fencing should be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations.
- To reduce potential short term effects to air quality from construction related activities, the contractor should use BMPs to reduce fugitive dust generation and diesel emissions. The contractor should water down construction areas when necessary to minimize particulate matter and dust. To reduce emission criteria pollutants, fuel-burning equipment running times should be kept at a minimum and engines should be properly maintained.
- Construction traffic should be closely monitored and controlled as appropriate. All construction activities should be conducted in a safe manner in accordance with Occupational Safety and Health Act (OSHA) requirements.

Conclusion

The results of these evaluations, as well as consultations and input from other federal and state agencies, are presented in the EA. 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. In addition, the proposed project does not appear to have the potential for significant cumulative effects when combined with past, present and reasonably foreseeable future actions. As a result of this FONSI, an EIS will not be prepared (per 44 CFR Part 10) and the proposed project as described in the EA may proceed.

Public Review and Comment

The Draft EA can be viewed and downloaded from FEMA's website at: <http://www.fema.gov/media-library/search/OldFourthWardSchool>. The Draft EA will also be available for public review at the Livingston Parish Main Library at 20390 Iowa Street, Livingston, LA, 70754 and the Albany-Springfield Branch at 26941 LA Highway 43, Hammond, LA 70403. A legal notice will be posted in the local newspapers, *The Livingston Parish News*, on the following dates: May 15, 18 and 22, 2014, and *The Baton Rouge Advocate* on the following dates: May 20, 21 and 22, 2014. If no substantive comments are received, the Draft EA will become final and the initial Public Notice will also serve as the final Public Notice.

Approval:

Kevin Jaynes
Regional Environmental Officer
Region VI

Date

Thomas M. Womack, Director
Louisiana Recovery Office
FEMA-1603/1607-DR-LA

Date