

Draft Environmental Assessment  
**EBR12-Florida Chevy Group  
Housing Site**

FEMA-4277-DR-LA

East Baton Rouge Parish, Louisiana

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**FEMA**

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## **ACRONYMS AND ABBREVIATIONS**

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APE	Area of Potential Effect
BMP	Best Management Practices
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
CWA	Clean Water Act
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
GSA	General Services Administration
IHP	Individuals and Households Program
LDEQ	Louisiana Department of Environmental Quality
MHU	Manufactured Housing Unit
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
RCRA	Resource Conservation and Recovery Act
SHPO	State Historic Preservation Office
UFAS	Uniform Federal Accessibility Standard
USACE	United States Army Corps of Engineers
USCB	United States Census Bureau
USFWS	United States Fish and Wildlife Service

## **1. Introduction**

During the Incident Period of August 11, 2016, to August 31, 2016, prolonged rainfall occurred over the state of Louisiana dropping unprecedented rain, exceeding 20 inches. On August 14, 2016, President Obama declared a major disaster (FEMA-4277-DR-LA) for the State of Louisiana, due to the severe storms and subsequent flooding, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide federal assistance in designated areas. FEMA proposes to administer this disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), Public Law 93-288, as amended. Section 408 of the Stafford Act authorizes FEMA's Individual and Households Program (IHP) to provide emergency and temporary housing for eligible disaster victims, whose homes are uninhabitable or destroyed as a result of the declared event.

This Environmental Assessment (EA) has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the President's Council on Environmental Quality regulations to implement NEPA (40 Code of Federal Regulations Parts 1500-1508), and FEMA's procedures for implementing NEPA (FEMA Instruction 108-1-1). FEMA is required to consider potential environmental impacts before funding or approving actions and projects. This Draft EA will analyze the potential environmental impacts of the proposed temporary group housing, Florida Chevy Group Site, as part of an expedited review process. FEMA will use the findings in this Draft EA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

## **2. Purpose and Need**

Catastrophic damage from severe storms and flooding has resulted in an extraordinary demand for housing assistance in communities within East Baton Rouge Parish, one of the hardest hit areas in Louisiana. The August 2016 prolonged rainfall resulted in catastrophic flooding and has been called the nation's worst natural disaster since Hurricane Sandy in 2012.

Thousands of homes and businesses were submerged and officials estimated that 26 percent of homes in East Baton Rouge Parish were affected by the flooding. Many rivers and waterways, particularly the Amite and Comity rivers, reached record levels, and rainfall exceeded 20 inches in multiple parishes. Louisiana's governor, John Bel Edwards, called the disaster a "historic, unprecedented flooding event" and declared a state of emergency. Because of the large number of homeowners without flood insurance that were affected, the federal government is providing disaster aid through FEMA.

The purpose of this action is to fulfill FEMA's mandate under the IHP to expeditiously provide temporary housing for eligible disaster victims. As of October 15, 2016, the State had received 150,855 applications; and 61,092 are from East Baton Rouge Parish. There have been 13,021 Preplacement Interviews for Manufactured Housing Units (MHUs) for East Baton Rouge for both private and commercial sites. As of October 15, 2016, 27,815 survivors have been awarded

rental assistance in East Baton Rouge Parish, and there are 23 Multi-Family Lease and Repair Units that have been approved.

Most of this demand will be met by repairing and improving existing multi-family housing to be utilized as temporary housing, placing a MHU on an applicant's private site, or providing them with a MHU on an available pad leased in a commercial park. However, once these options are exhausted, FEMA estimates many applicants still will remain in need of direct housing, thus supporting the need to develop a temporary group-housing site, hereafter "group site."

### **3. Environmental Review Process**

In order to meet the urgent needs of disaster survivors requiring temporary housing, FEMA has implemented an expedited environmental review process. The purpose of this document is to assist FEMA in fulfilling its environmental review responsibilities under NEPA and serve as a vehicle to document compliance under other applicable environmental and historic laws and orders. Laws and orders addressed through this Draft EA include: the Clean Air Act; Clean Water Act; Endangered Species Act; National Historic Preservation Act; Executive Order (EO) 11988 (Floodplain Management); EO 11990 (Protection of Wetlands); EO 12898 (Environmental Justice); Comprehensive Environmental Response, Compensation and Liability Act (CERCLA); Resource Conservation and Recovery Act (RCRA); and Farmland Protection Policy Act. Agency coordination/consultation is being conducted on a site by site basis as necessary.

The scope of FEMA's environmental review includes evaluating project alternatives, characterizing the affected environment, identifying potential environmental impacts, and outlining ways to avoid, reduce or minimize adverse effects. This Draft EA examines the site-specific environmental impacts associated with building a proposed FEMA group-housing site on private or publicly owned land to be leased by the General Service Administration (GSA) for this purpose.

This Draft EA was prepared based on a site evaluation, document research, and resource agency information. The public participation period will be brief as necessitated by the emergency circumstances. Agency coordination and consultation will be deemed complete at the end of the public comment period. FEMA believes that this process will allow for sufficient action analysis and meet the goal of providing timely federal assistance to disaster survivors.

### **4. Site Selection Process and Alternatives**

NEPA requires investigation and evaluation of reasonable project alternatives as part of the project environmental review process. At a minimum, FEMA's NEPA implementing regulations require the No Action and Proposed Action be evaluated. Concurrent to the Proposed Action, other federally assisted housing options are being utilized first. These options include minor home repairs, rental assistance, and installing a manufactured housing unit on a private site or in an existing commercial site but these options are rapidly depleting due to the high demand.

Therefore, a remaining alternative is to build an emergency, temporary group site when the above options do not satisfy the demand.

In order to expedite the group housing site selection process, FEMA is working closely with local officials and the United States Army Corps of Engineers (USACE) to identify potential sites, followed by a site reconnaissance and research to determine site suitability. Important factors considered in choosing a site include: demand for temporary housing in that area, group acceptance, proximity of group services/amenities (schools, healthcare facilities, public transportation, etc.), engineering and construction feasibility, access to utilities, land use compatibilities, property owner terms, costs to develop and maintain the site, and environmental/cultural resource sensitivities. FEMA will continue to evaluate alternative sites in East Baton Rouge Parish. Although various alternatives have been and continue to be identified, the amount of needed housing has limited this Draft EA to the analysis of one suitable site alternative. The Florida Chevy Group Site was selected for further detailed analysis because it meets the basic site feasibility and selection criteria.

#### ***Alternative 1 – No Action Alternative***

Under the No Action alternative, FEMA would not develop a temporary group housing site at this location. Displaced residents would continue to stay with relatives/friends, in hotels, or other temporary locations until they resolve their own long-term housing needs. This alternative may jeopardize public health, safety, and well being and 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.

#### ***Alternative 2 – Develop the Florida Chevy Group Site with MHU’s (Proposed Action)***

The Proposed Action would provide temporary housing for eligible disaster victims displaced by August floods in southeastern Louisiana. Disaster survivors would be temporarily relocated to the site with an expected occupancy up to 18 months (which includes a site deactivation period) while they resolve their permanent housing needs. This alternative would assist in fulfilling FEMA’s mandate under the IHP to expeditiously provide temporary housing for eligible disaster survivors. This alternative would also address the proposed project’s purpose and need.

### **4.1 Project Location and Site Description**

The proposed site is located in the City of Baton Rouge, East Baton Rouge Parish, Louisiana (30.46738, -91.01973). Figure 1 is an aerial photo depicting the boundaries of the proposed site and adjacent area. The site consists of approximately 18 acres of mostly open grassland located between Florida Boulevard and South Choctaw Drive approximately 0.5 miles west of the Central Throughway. A large car dealership is between the proposed site and Florida Boulevard. A 50-foot grass road provides access to the site near the southeast corner. It connects to a frontage road on Florida Boulevard. There is a vacant field to the north of the proposed site and a large commercial building to the east. Mature trees, shrubs and understory are dominate to the west of the site.

Most of the area has been developed as an auto auction lot but has not been utilized. The development included leveling and filling low areas. The site is relatively level but has lower elevations on the western end of the property. The vegetative cover of the site is dominated primarily by upland herbaceous grass species. Some hydrophilic wetland plant species are present along the western end of the site, mainly near the small pond. Gravel and milled asphalt has been placed on much of the eastern half of the property to create parking areas and roads. There is a solid metal fence running along the eastern and northern boundaries, and fence poles on the rest of the boundaries. A drainage ditch is constructed along the southern and western boundaries. Two shallow drainage swales direct runoff to the south. A small pond (less than half-acre in size) in the northwest corner was constructed to provide fill for the site. There is an abandoned road grader and a business trailer with an small above ground storage tank near the southeast corner.

#### **4.2 Proposed Project Description**

The proposed action would utilize the project site and design to contract for the construction of approximately 80 manufactured home pads and all necessary support facilities (Figure 5). These pads would be used for the placement of mobile home units to house displaced families. Development of the site would require the installation of utilities on the site, asphalt for the roads and handicap parking lot, and crushed rocks for trailer pads and residents parking.

The following specific site development components would be included with this project:

- Site preparation would include clearing, grading, and removal of woody vegetation and debris.
- Infrastructure for water, and electrical services exist off of Florida Boulevard but would have to be extended onto the site.
- Infrastructure for sewer would consist of either a packaged sewage treatment plant on site or connection to an existing sewer off of South Choctaw Drive.
- New lines and fire hydrants, as required, would be installed on the property.
- Storm water drainage would be developed within the site as well.
- Uniform Federal Accessibility Standard (UFAS) site features include 20% of the units meeting UFAS, and 100% of onsite essential services/facilities (such as mailbox kiosk) would be UFAS compatible.
- Erosion control would be established during the construction period and a perimeter fence would be constructed around the project site.

FEMA would operate and maintain the site during the term of occupancy. When the temporary housing need has ended, FEMA expects that the MHUs would be hauled from the site and returned to a FEMA storage facility. The project site would be reasonably restored to its previous condition and then seeded, or left per the lease terms with the landowner.

## **5. Affected Environment and Potential Impacts**

This section is organized by individual resources. It includes a description of the existing conditions at the project area and provides an analysis of potential environmental impacts for each alternative. Impacts to the following resources as a result of the Proposed Action were found to be discountable and are not evaluated further in this Draft EA: geology, soils and seismicity, air quality, climate change, coastal zones, wildlife and fish, noise, traffic, public service and utilities, and public health and safety. Where potential impacts exist, conditions or mitigation measures to offset these impacts are detailed. Table 1 summarizes the results of the environmental review process. No safety issues were identified on the project site.

### **5.1 Water Resources**

This section provides an overview of the affected area and potential environmental effects of the No Action and Proposed Action alternatives on water resources, including water quality, streams, wetlands, and floodplains.

#### **5.1.1 Water Quality**

The National Pollutant Discharge Elimination System (NPDES) was established under the Clean Water Act (CWA) and regulates wastewater discharges from point sources. NPDES regulations require that construction sites resulting in greater than one acre of disturbance obtain a permit from the Environmental Protection Agency (EPA), or the corresponding state agency where the permitting role has been assumed by the state. The Louisiana Department of Environmental Quality (LDEQ) is the state agency that has assumed this responsibility.

#### ***Alternative 1- No Action Alternative***

Under the No Action alternative, there would be no short- or long-term impacts to water quality. The site has already been cleared and site development has been accomplished by the owner more than 10 years ago. Further site development by the owner is likely in the near future. Due to the flat nature of the site, there is little to no erosion evidenced on the site. The small borrow pond located on the west end of the property and associated vegetation on its bank are more of a recharge area and are not connected to a larger system. Thus, any runoff with turbidity or sediment would be minor. Thus, there would be no short- or long-term impacts to water quality.

#### ***Alternative 2 - Develop the Florida Chevy Group Site with MHUs (Proposed Action)***

Under the Proposed Action alternative, impacts to water quality, if any, would be minor. Appropriate best management practices (BMPs) would be implemented during site development to minimize sediment migration from the site into nearby water bodies. Surface runoff would be controlled by using siltation controls such as silt fencing around the construction site to minimize erosion of materials into adjacent drainage ditches, wetlands, and/or waterways. Any disturbed soil would be protected with seed or sod after construction in order to decrease the amount of soil eroded by rainfall and runoff. If fill is stored on site, the contractor would appropriately cover it to prevent erosion. In order to control storm water runoff, the contractor would be required to construct drainage features so that flows would not cause nuisance flooding during

heavy rainfall events. The drainage system would be required to meet local and parish requirements. Furthermore, the contractor would obtain any necessary Storm Water Pollution Prevention Permits from the LDEQ since soil disturbing activities would be conducted on the site.

These actions would prevent any degradation of water quality as a result of silt-laden runoff from the construction site. The Proposed Action alternative would have no significant impacts to water quality in the area of the site.

### **5.1.2 Wetlands**

The CWA and EO 11990 define wetlands as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.”

A USACE Permit (Attachment 1) was received by the site owner (signed 29 November 1999) allowing the filling of wetlands on the site, as long as mitigation requirements were implemented. The mitigation requirements were fulfilled and site work including filling was completed on most of the property shortly after the permit was received in 1999. The west end still is lower in elevation than the rest of the site. A small pond (less than 0.5 acre) with a surrounding buffer of wetlands is located in the northwest corner of the property. The Corps of Engineers, New Orleans District Regulatory Branch, have reviewed the proposed site plan and stated no further permitting will be required (Attachment 2).

#### ***Alternative 1- No Action Alternative***

Under the No Action alternative, the proposed site will continue to be developed for commercial use. The low areas on the site would be filled as approved in the USACE permit. Due to the flat nature of the site, there is little to no erosion evidenced on the site. Thus, there would be no short- or long-term impacts to wetlands.

#### ***Alternative 2 - Develop the Florida Chevy Group Site with MHUs (Proposed Action)***

The small pond (less than 0.5 acre) in the northwest corner of the property would be avoided based on the current site plans. Therefore, no wetlands would be impacted by this proposed action. Existing site conditions are depicted in photos included as Figures 2,3 and 4.

Under the Proposed Action alternative, based on the United States Fish and Wildlife Services (USFWS) National Wetlands Inventory (NWI) map accessed on October 14, 2016, available online at (<https://fws.gov/wetlands/>), no wetlands were identified on the maps in the project area. During the field review, some low areas were identified near the west end of the property, primarily near the small pond. Much of the vegetation in these low areas consisted of sedges and other wetland plants. The pond area would be avoided by the proposed construction for the mobile home group housing.

### **5.1.3 Floodplains**

EO 11988 Floodplain Management was issued to avoid or minimize short- and long-term adverse impacts associated with the occupancy and modification of floodplains.

#### ***Alternative 1- No Action Alternative***

Under the No Action alternative, there would be no short- or long-term impacts to floodplains.

#### ***Alternative 2 - Develop the Florida Chevy with MHUs (Proposed Action)***

Based on the FEMA Flood Insurance Rate Map (FIRM) panel number 22033C0260E dated 05/02/2008, accessed on October 14, 2016, at (<https://msc.fema.gov/portal>), the proposed project is located outside the flood zone (Zone X) and would not adversely affect floodplain values.

### **5.2 Threatened and Endangered Species and Critical Habitat**

Section 7 of the Endangered Species Act (ESA) of 1973 directs federal agencies to utilize their authorities in furtherance of the purposes of the Act by carrying out programs for the conservation of listed species or designated critical habitats. The USFWS is the agency that regulates compliance with the ESA. Furthermore, migratory birds are protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. Any activity that results in the take of migratory birds or eagles is prohibited unless authorized by the USFWS. There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured. Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible in complying with the appropriate regulations and implementing appropriate conservation measures.

#### ***Alternative 1- No Action Alternative***

Under the No Action alternative, the proposed site would continue to be developed commercially by the owner. There would be no short- or long-term impacts to threatened and endangered species or critical habitat.

#### ***Alternative 2 - Develop the Florida Chevy Group Site with MHUs (Proposed Action)***

The entire project site has been cleared and undergone site preparation and filling by the owner more than 10 years ago. It is now mowed periodically and is vegetated by a variety of pioneer herbaceous species. Soils consist of sand and silt. No fauna were observed on the site although bird species were observed in adjacent vegetation.

The USFWS's Information for Planning and Conservation website (<https://ecos.fws.gov/ipac/>) accessed on October 14, 2016 was reviewed for a list of threatened and endangered species in the project area. While there are four listed species and 26 migratory birds that occur in the East Baton Rouge Parish, the proposed housing site does not contain suitable habitat for any of these listed species.

A search of the USFWS Critical Habitat online mapper accessed on October 14, 2016 at (<http://ecos.fws.gov/ecp/report/table/critical-habitat.html>) resulted in a finding of no designated critical habitats in the project area. Based on the scope of work and lack of suitable habitat at the proposed site, FEMA has made the determination that the Proposed Action alternative would have no effect on federally listed species and would not adversely modify critical habitat.

### **5.3 Cultural Resources**

Section 106 of the National Historic Preservation Act (NHPA) of 1966 (16 U.S.C. §470 et seq.) and its implementing regulations (36 CFR Part 800), require federal agencies to take into account the effects of their undertakings on historic properties.

#### ***Alternative 1- No Action Alternative***

Under the No Action alternative, the proposed site would continue to be developed commercially. Site development activities by the owner have been conducted on all of the proposed site. During this time, no evidence of cultural resources were reported. Thus, there would be no short- or long-term impacts to cultural resources.

#### ***Alternative 2 - Develop the Florida Chevy Group Site with MHUs (Proposed Action)***

FEMA has defined the Area of Potential Effect (APE) for the proposed undertaking as the maximum horizontal and vertical limits of excavation and construction, as well as all areas of ground disturbance, clearing and grubbing, staging, or equipment operation. Based on a review of the Louisiana Cultural Resources Mapper and site reconnaissance, FEMA has determined that the APE does not include any above or below ground historic properties listed in or eligible for the National Register of Historic Places (NRHP). FEMA has determined that there would be no historic properties affected as a result of the Proposed Action (Attachment 2). The State Historic Preservation Office (SHPO) issued a letter of concurrence with this determination on October 17, 2016 (Attachment 3).

The contractor would monitor ground-disturbing activities, and if any potential archeological resources are discovered, would immediately cease construction in that area and notify the Louisiana Governor's Office of Homeland Security and Emergency Preparedness, and FEMA.

### **5.4 Socioeconomic Resources**

The project site is located in the East Baton Rouge Parish, Louisiana. According to the United States Census Bureau (USCB), the population as of July 1, 2015 was 446,753 with a total of 189,353 housing units. The median household income was estimated at approximately \$48,535 (based on 2010 -2014 American Survey 5-year Estimates). According to the 2010 - 2014 American Survey 5-year Estimates, approximately 18.4% of population lives below poverty levels.

The project site is located in Zone C2 per a review of the East Baton Rouge land use database (<http://ebrgis.maps.arcgis.com/apps/webappviewer/index.html?id=71eea5e62ce84b1d94be194ad>)

[8f2ac2e](https://brgov.com/dept/planning/udc/pdf/Chapter8.pdf)). The Baton Rouge planning ordinances, Chapter 8 (<https://brgov.com/dept/planning/udc/pdf/Chapter8.pdf>), indicates Zone C2 can not be used for residential purposes. However, on October 12, 2016, the East Baton Rouge Parish Metropolitan Council approved the use of the Florida Chevy site as a temporary Group Site due to the emergency need for housing for displaced residents.

#### **5.4.1 Environmental Justice**

EO 12898 requires that each federal agency identify and address the effects of its programs, policies, and activities on minority and low-income populations. The function of this EO is to avoid disproportionately high and adverse public health or environmental impacts to the target populations.

The population within the East Baton Rouge Parish, Louisiana is comprised of about 48% Caucasian, 45% African American, 3 % Asian, 4% Hispanic and 1% Other Races.

##### ***Alternative 1- No Action Alternative***

The No Action alternative would preclude the federal government from adequately addressing the urgency of providing temporary and transient emergency housing. Consequently, displaced disaster survivors would have to remain in the temporary housing they have acquired through their own resources and possibly far from their original home. The short- and long-term recovery of flood survivors and their communities would be further compounded by fewer housing options. They would continue to suffer social and economic stresses related to the disaster recovery.

##### ***Alternative 2 - Develop the Florida Chevy Group Site with MHUs (Proposed Action)***

The availability of federal assistance, including temporary housing for displaced individuals, is consistent with EO 12898. All forms of FEMA disaster housing assistance are available to any affected household that meets the conditions of eligibility. This group site is a temporary housing solution. Therefore, long-term adverse effects to public health or to the environment would not be expected.

The demographic makeup of the group site residents is expected to be similar to the community as a whole. Further, the availability of temporary housing would result in a positive impact to displaced individuals, regardless of whether they are minority and/or low income. Therefore, the Proposed Action would not pose disproportionately high and adverse public health or environmental effects on minority and low-income populations.

With the establishment of the site, up to approximately 200 residents would be temporarily relocated to Florida Chevy Site area. The potential site residents would be from the Parish areas which have been impacted by the flooding. The local community is aware of this action and may experience a slight localized increase in the need for public services, such as schools, fire and police services, childcare, and medical services. However, the overall demand for public and

commercial services is not expected to be greater than the pre-disaster demand and potential impacts are expected to be minimal.

#### **5.4.2 Hazardous Materials**

Two of the main federal laws that address hazardous and toxic materials issues are CERCLA and RCRA. CERCLA, commonly known as Superfund, has the major objectives to identify hazardous and toxic material sites, determine liability, and oversee the cleanup. RCRA addresses the handling, disposal and recycling of debris and solid waste, including hazardous materials.

Upon review of the Environmental Data Resources Radius Map Report with GeoCheck on October 14, 2016, there are no facilities or activities of concern on the proposed group site. During the site visit, a small above ground storage tank, used for heating oil, was found adjacent to the trailer. No evidence of fuel oil leakage was observed.

A review of the EPA NEPAassist accessed on October 14, 2016 at (<https://www.epa.gov/nepa/nepassist>) indicated that there are five hazardous Conditionally Exempt Small Quantity Generators within 0.25 miles of the proposed site on Florida Boulevard. There are no Superfund sites at or nearby the project location.

#### ***Alternative 1- No Action Alternative***

No impacts from hazardous materials are expected as a result of the No Action alternative.

#### ***Alternative 2 - Develop the Florida Chevy Group Site with MHUs (Proposed Action)***

Under the Proposed Action alternative, there are no anticipated impacts from hazardous materials and hazardous substances. Any unusable equipment, including the trailer and above ground storage tank, debris, and material on site would be disposed of prior to occupancy in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, the contractor would handle, manage, and dispose of petroleum products, hazardous materials, and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state, and federal agencies.

### **6. Cumulative Impacts**

Cumulative impacts are defined as environmental effects that are greater in magnitude, extent, or duration than the direct and indirect effects of the proposed FEMA-associated action when combined with the effects of other current and future actions, regardless of the proponent. Given the Proposed Action is temporary, long-term (up to 18 months) cumulative affects to the area surrounding the site as a result of site development and occupancy are not anticipated.

## **7. Public Involvement**

Public involvement is being performed in compliance with NEPA, FEMA's Instruction 108-1-1 for implementing NEPA, and EO 12898, 11988, and 11990. A Notice of Availability of the Draft EA will be published in the local newspaper of record, the East Baton Rouge Parish News, and on FEMA's website at (<https://www.fema.gov/library>) requesting public comments. Additionally, the Draft EA will be made available for review at the Main Library of the East Baton Rouge Public Library, located at 7711 Goodwood Blvd., Baton Rouge, LA 70806. The Main Library facility hours are Monday to Thursday, 8:00 a.m. to 10:00 p.m., Friday and Saturday, 8:00 a.m. to 6:00 p.m., and Sunday 2:00 p.m. to 10:00 p.m.. Due to the emergency nature of this action, the public comment period will be limited to 3 days. FEMA will consider and respond to all public comments in the Final EA. If no substantive comments are received, the Draft EA will become final and a FONSI will be issued for the project.

## **8. Mitigation**

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of federal funding.

1. Appropriate BMPs will be implemented during site development to minimize sediment migration from the site into nearby water bodies. Surface runoff will be controlled by using siltation controls such as silt fencing around the construction site to minimize erosion of materials into adjacent wetlands and/or waterways. Any disturbed soil will be protected with seed or sod after construction in order to decrease the amount of soil eroded by rainfall and runoff. Any fill stored on site will be appropriately covered to prevent erosion.
2. In order to control storm water runoff, the contractor will be required to design and construct drainage features so that flows will not cause nuisance flooding during heavy rainfall events. The drainage system will be required to meet local and county requirements.
3. The contractor will monitor ground-disturbing activities during construction. If any potential archeological resources are discovered, the contractor will immediately cease construction in that area and notify the Louisiana Governor's Office of Homeland Security and Emergency Preparedness and FEMA.
4. Unusable equipment, debris and material will be disposed of prior to occupancy in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, the contractor will handle, manage, and dispose of petroleum products, hazardous materials, and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state, and federal agencies.
5. To minimize dust, site soils will be wetted during site preparation activities and seeded following construction.
6. Construction activities with elevated noise levels will be limited from 7:00 A.M. to 7:00 P.M, unless otherwise approved by the Parish. Equipment and machinery used during construction will meet all local, State, and federal noise regulations.

7. The contractor will post appropriate signage and fencing to minimize potential adverse public safety concerns. Appropriate signage and barriers will be in place prior to construction activities in order to alert pedestrians and motorists of project activities and traffic pattern changes.
8. Once the temporary housing need has ended, the site will be seeded and restored to previous conditions to the extent practical or in accordance with site lease terms.

## **9. List of Preparers**

EA Preparer: Thomas Lightcap, Environmental Engineer, USACE

Field Team: Steve Robinson, Environmental Specialist, USACE; Richard Beatty, Environmental Specialist, FEMA Reservist

Reviewers: Kevin Jaynes, Regional Environmental Officer, FEMA; Adam Borden, Deputy Environmental Advisor, FEMA; Alan Hermely, Environmental Specialist FEMA; Tiffany Spann-Winfield, FEMA; Kenneth R. Sims, NEPA Team Lead, USACE

**Table 1: Summary Table—Affected Environment, Impacts, and Mitigation**

Resource Area	No Action Alternative	Alternative 2 Proposed Action: Develop the Florida Chevy Group Site with Mobile Home Units	Mitigation	Agency Coordination/ Permits
Water Quality	No change from current conditions.	There is potential for localized increase in sedimentation as a result of site preparation activities. Potential impact to water quality in downstream swales, ditches, and streams (e.g., turbidity, siltation, biological oxygen demand).	Appropriate BMPs will be implemented during site development to minimize sediment migration from the site into nearby water bodies. Surface runoff will be controlled by using siltation controls such as silt fencing around the construction site to minimize erosion of materials into adjacent wetlands and/or waterways. Any disturbed soil will be protected with seed or sod after construction in order to decrease the amount of soil eroded by rainfall and runoff. Fill stored on site, will be appropriately cover it to prevent erosion. In order to control storm water runoff, the contractor will design and construct drainage features so that flows would not cause nuisance flooding during heavy rainfall events. The drainage system will be required to meet local and county requirements.	Applicant must coordinate with the LDEQ and obtain required permits prior to initiating work.  All coordination pertaining to these activities and applicant compliance with any conditions would be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.
Wetlands	No change from current conditions.	Wetland areas are present on site, but would be outside the area of disturbance	No MHUs will be installed on the Project site where wetlands occur.	None
Floodplains	No change from current conditions.	No MHUs would be installed within the 100-year floodplain.	No MHUs will be installed within the 100-year floodplain.	None
Threatened and Endangered Species and Critical Habitat	No change from current conditions.	No Threatened and Endangered Species and Critical Habitat on the Proposed Site.	None.	None

Resource Area	No Action Alternative	Alternative 2 Proposed Action: Develop the Florida Chevy Group Site with Mobile Home Units	Mitigation	Agency Coordination/ Permits
Cultural Resources	No change from current conditions.	FEMA has determined that there would be no historical properties affected as a result of the Proposed Action. The SHPO concurred with this determination on October 17, 2016.	The contractor will monitor ground-disturbing activities, and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the Louisiana Governor's Office of Homeland Security and Emergency Preparedness, and FEMA.	FEMA has consulted with SHPO and obtained concurrence on October 17, 2016
Environmental Justice	No change from current conditions.	The Proposed Action would not pose disproportionately high and adverse public health or environmental effects on minority and low-income populations.	None	None
Hazardous Materials	No change from current conditions.	Under the Proposed Action, there are no anticipated impacts from hazardous materials and hazardous substances.	Unusable equipment, debris, and material will be disposed of prior to occupancy in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, the contractor will handle, manage, and dispose of petroleum products, hazardous materials, and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state, and federal agencies.	None

## DEPARTMENT OF THE ARMY PERMIT

Permittee: Mr. Gerard D. Ruiz

Permit No. EJ-19-980-0557

Issuing Office: New Orleans District

**NOTE:** The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

**Project Description:** Clear, grade, dredge and deposit and maintain fill material to construct a parking area and building site for an auto storage and auction facility, in accordance with the drawings attached in seven sheets, dated November 19, 1997 and revised March 2, 1999.

**Project Location:** In Baton Rouge, Louisiana, in East Baton Rouge Parish.

### Permit Conditions:

#### General Conditions:

1. The time limit for completing the work authorized ends on **DECEMBER 31, 2004**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

ENG FORM 1721, Nov 86

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(33 CFR 325 (Appendix A))

Attachment 1, page 1 – 1999 USACE Wetlands Jurisdictional Determination Letter to Property Owner

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions: Pages 4-6.**

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- Section 404 of the Clean Water Act (33 U.S.C. 1344).
- Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

- a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
- b. This permit does not grant any property rights or exclusive privileges.
- c. This permit does not authorize any injury to the property or rights of others.
- d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.

**ENG FORM 1721, Nov 86**

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**(33 CFR 325 (Appendix A))**

Attachment 1, page 2 – 1999 USACE Wetlands Jurisdictional Determination Letter to Property Owner

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

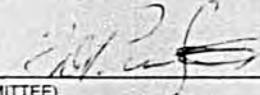
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

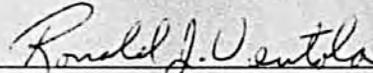
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

X  X 11/22/99  
(PERMITTEE) (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

 29 Nov 99  
Ronald J. Ventola Chief, Regulatory Branch (DATE)  
for Thomas F. Julich, District Engineer

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE) (DATE)



REPLY TO  
ATTENTION OF  
Operations Division  
Surveillance and Enforcement Section

DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT  
7400 LEAKE AVENUE  
NEW ORLEANS, LOUISIANA 70118

October 14, 2016

Mr. Wyatt Kmen  
Temporary Housing SME  
US Army Corps of Engineers

Dear Mr. Kmen:

Reference is made to your application for a Department of the Army (DA) permit to construct a temporary FEMA mobile home park on property located in Section 4, Township 7 South, Range 2 East, East Baton Rouge Parish, Louisiana.

We have reviewed the project, as proposed, and determined that additional Department of the Army authorization will not be required. It is our understanding that the pond in the northwest corner of the property will be avoided. Any changes or modifications to the project will require a revised determination from this office.

Should there be any questions concerning these matters, please contact Mr. Brian Oberlies at (504) 862-2275 and reference our Account No. MVN-1998-00557-1-SY. If you have specific questions regarding the permit process or permit applications, please contact our Central Evaluation Section at (504) 862-1581.

Sincerely,  
HEFFNER.ROBERT.A  
LEXANDER.1230208

340  
for Martin S. Mayer  
Chief, Regulatory Branch

Digitally signed by  
HEFFNER.ROBERT.ALEXANDER.1230208340  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=USA,  
cn=HEFFNER.ROBERT.ALEXANDER.1230208340  
Date: 2016.10.14 08:37:46 -0500

Enclosures

Attachment 2, page 1 – 2016 USACE Permit Authorization Letter



**USACE**  
IH, 13 OCT 2016  
BRIAN OBERLIES  
FOR KMEN, WYATT  
ACCOUNT # MVN-1998-00557-1-SY

 **PROJECT SITE**

Attachment 2, page 2 – 2016 USACE Permit Authorization Letter

U.S. Department of Homeland Security  
Federal Emergency Management Agency  
FEMA-4277-DR-LA  
Joint Field Office  
415 North 15<sup>th</sup> Street  
Baton Rouge, LA 70802



October 13, 2016

Mr. Phillip E. Boggan II  
State Historic Preservation Officer  
Department of Culture, Recreation & Tourism  
P.O. Box 44247  
Baton Rouge, LA 70804

Dear Mr. Boggan,

The Federal Emergency Management Agency (FEMA), in response to the Presidentially declared Major Disaster Declaration FEMA-DR-4277-LA (Incident Period- August 11, 2016 to August 31, 2016) will be providing direct temporary housing assistance, or “direct assistance,” under the Individuals and Households Program, Sections 408 and 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended. Per 44 CFR Part 206, FEMA is authorized to provide temporary housing units directly to individuals and households who, because of a lack of available resources, are unable to make use of rental assistance for temporary housing.

As per 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 August 17, 2009, and amended on July 22, 2011 (2009 Statewide PA as amended) ground-disturbing activities related to the construction of temporary housing sites are not included in the temporary housing activities included in Section 408: Federal Assistance to Individuals and Households (42 U.S.C. 5174) for which FEMA has no further Section 106 responsibilities per Stipulation I.C.1. of the 2009 Statewide PA as amended.

Manufactured Housing Units (MHU’s) are provided to eligible applicants in parishes only as a last resort when no other reasonable alternative exists for emergency housing. These actions may include placing sets of MHU’s at newly developed “Group Sites” located in impacted parishes. Group Sites are only approved when setting individual MHU’s on private property, or utilizing a previously developed commercial site are not available options. East Baton Rouge Parish has been identified as eligible for the installation of “Group Sites”.

FEMA is initiating consultation for the proposed temporary housing location, to be used to house individuals and families whose homes were rendered uninhabitable as a result of DR-4277.

Attachment 2: 2016 FEMA State Historic Preservation Officer Coordination Letter, page 1

**Project Description**

For group housing sites, cleared, level locations within close proximity to affected communities are generally selected for consideration. Sites are generally leveled and prepared for the installation of both the MHU's and associated utilities. The MHU's being used for the DR-4277 disaster are different from the housing units used in other Louisiana federal disaster declarations. All units are constructed in accordance to U.S. Department of Housing and Urban Development (HUD) and FEMA standards, which enhance frame requirements, thermal protection, plumbing and fire safety. All units have smoke detectors, weather radios, and fire extinguishers. MHU's range from one to three bedrooms depended on the size of the occupying family.

The proposed 13-acre Florida Chevy site, which is rectangular in shape, is located between Florida Blvd and S. Choctaw Dr. approximately 0.5 miles west of the Central Throughway. The area was partially developed as an auto auction lot in the 1990's but was never completed or used as such. This previous development included leveling and filling of low spots on the parcel and placement of gravel and milled asphalt to form elevated areas on the eastern and northern portions of the proposed site. Since this earlier development, nearly the entire area has revegetated with herbaceous species.

The south side of the main portion of the site is bordered by a large car dealership. The parking lot for a large office building is present on the eastern boundary. A vacant field sits at the north side of the proposed site, and a thin line of mature trees runs along the east and north fence lines. The west side of the site is bordered by a copse of mature trees. The potential access road runs from the southern end of the site to a frontage road on Florida Blvd., between the car dealership and office building parking lot.

**Area of Potential Effect**

36 CFR § 800.4 requires federal agencies to define the Area of Potential Effect (APE). A summary of the project location, with dimensions of disturbance, are provided below. Attached maps define the limits of the APE associated with this undertaking.

**Table 1-** Proposed Group Site Housing Location, East Baton Rouge Parish.

Location	Northwest Corner	Northeast Corner	Southeast Corner	Southwest Corner
Florida Chevy	30.46922, -91.02144	30.46876, -91.01208	30.46721, -91.01807	30.46698, -91.02133
Florida Chevy Access Road	30.467070, -91.019066	30.467075, -91.018760	30.465343, -91.018767	30.465359, -91.018985

**Identification of Historic Properties**

36 CFR 800.4(b) (1) states that federal agency officials shall make a "reasonable and good faith effort" to identify historic properties.

FEMA conducted research using the Louisiana Division of Archaeology's Cultural Resource database and associated site files, photographs, and maps to identify historic properties within the vicinity of the APE. There are no known archaeological or historic sites within the East Baton Rouge Parish Florida Chevy location.

**Findings of Effect**

Based on information gathered through this review process, FEMA has made a determination of **No Potential to Affect Historic Properties** as a result of the proposed undertaking.

To ensure that FEMA-funded activities would not affect significant archaeological resources, FEMA would place the following conditions on the project for the treatment of unexpected archaeological discoveries during debris removal activities:

*In the event that human remains or intact archaeological deposits are discovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The applicant will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The applicant's contractor will provide immediate notice of such discoveries to the applicant. The applicant will notify the Louisiana Office of Cultural Development and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has completed consultation with SHPO, Tribes, and other consulting parties as necessary. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Louisiana Code.*

Thank you very much for your assistance with this request. Due to the urgent need to provide safe housing to those affected by the disaster, your prompt attention to this matter would be greatly appreciated. Should you have any questions or need to discuss the proposed activities in greater detail, you may contact Andria Darby, Historic Preservation Specialist at [andria.darby@fema.dhs.gov](mailto:andria.darby@fema.dhs.gov) or 413-329-1860. We look forward to your response.

Sincerely,



Kevin Jaynes  
Regional Environmental Officer  
FEMA-4277-DR-LA

Attachments:  
Aerial Map  
LA Cultural Resource Map  
Photos

**From:** [Darby, Andria](#)  
**To:** [DCRT Section 106](#)  
**Cc:** [Mike Varnado](#); [Chip McGimsey](#); [Nicole Hobson-Morris](#); [Rachel Watson](#); [Kristin Sanders](#)  
**Subject:** FEMA-SHPO Consultation - Group Housing East Baton Rouge Parish, Florida Chevy Location  
**Date:** Thursday, October 13, 2016 11:13:34 AM  
**Attachments:** [DR-4277-LA\\_SHPO\\_Consult\\_Group\\_Housing\\_Site\\_EBR\\_Florida\\_Chevy.pdf](#)

---

Good Morning,

Please accept the attached consultation regarding emergency temporary housing facilities in East Baton Rouge Parish, LA.

Please contact me if you have any questions.

Sincerely

**Andria Darby**  
Historic Preservation Lead  
FEMA EHP  
DR-4277-LA  
BB: (413) 329-1860  
[andria.darby@fema.dhs.gov](mailto:andria.darby@fema.dhs.gov)

No known historic properties will be affected by this undertaking. Therefore, our office has no objection to the implementation of this project. This effect determination could change should new information come to our attention.



Phil Boggan  
State Historic Preservation Officer

Date

10/17/2016

Attachment 3. 2016 Concurrence Letter from the State Historic Preservation Officer



Figure 1. Aerial Map of Proposed Project Site (Latitude 30.46738, -91.01973) (Google Earth)



Figure 2. Photo of Existing Site Conditions (FEMA)



Figure 3. Photo of Existing Site Conditions (FEMA)



Figure 4. Photo of Existing Site Conditions (FEMA)

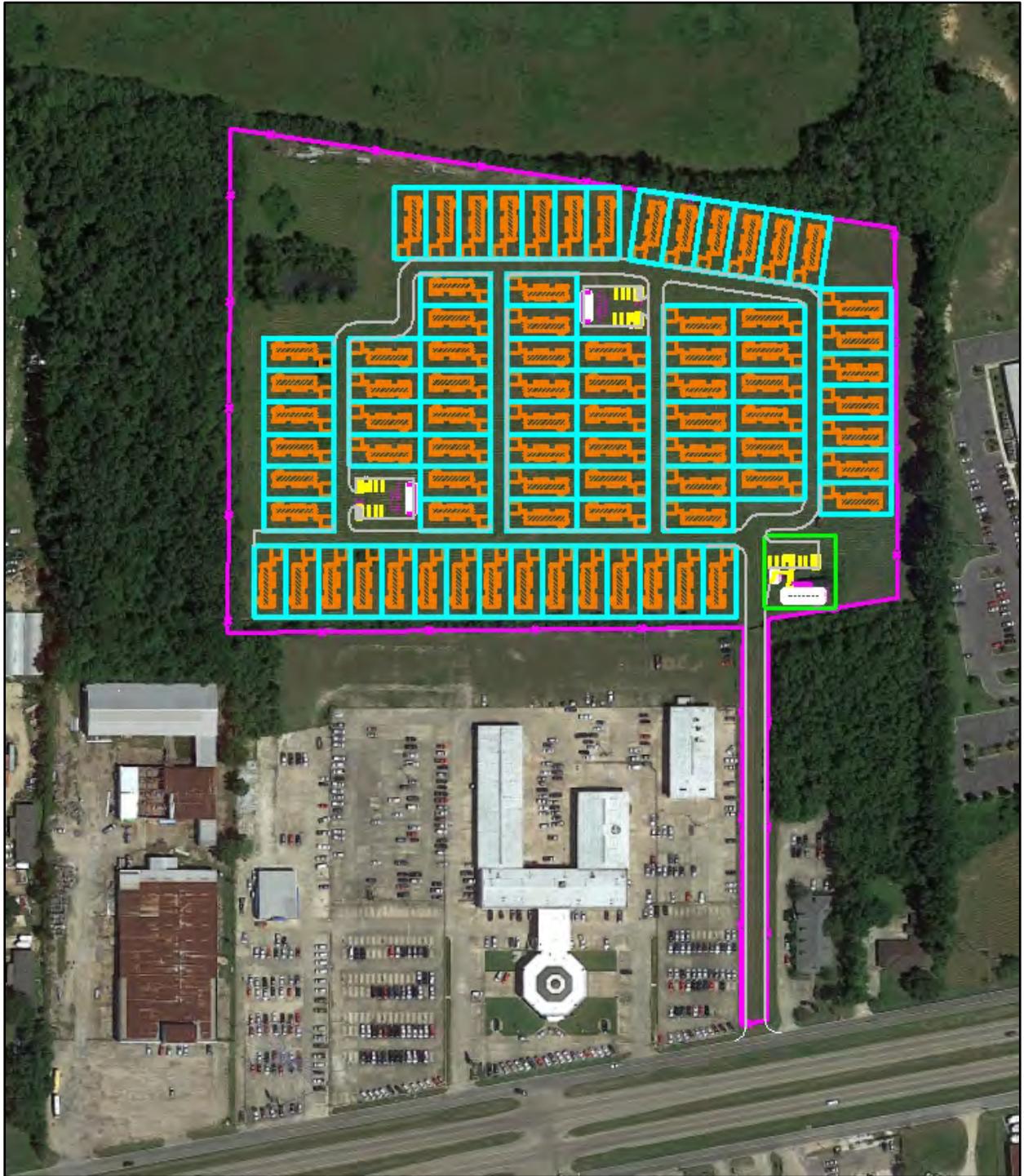


Figure 5. Florida Chevy Group Site Proposed Layout (Google Earth)