

APPENDIX A
Correspondence





FEMA

December 17, 2008

F. Lawrence Oaks
State Historic Preservation Officer
c/o A. Elizabeth Butman
Texas Historical Commission
P.O. Box 12276
Austin, TX, 78711-2276

RE: Response to THC letter dated December 5, 2008 regarding FEMA's request for review of the draft Programmatic Environmental Assessment of the Alternative Housing Pilot Program Permanent Housing.

Dear Mr. Oaks:

FEMA appreciates your comments on the draft Programmatic Environmental Assessment (PEA) for the Alternative Housing Pilot Program Permanent Housing. FEMA would like to respond to your comments of the draft PEA. FEMA values communication with your organization and fully appreciates our responsibilities under Section 106 of the National Historic Preservation Act and 36 CFR Part 800.

- *THC Comment: We do not believe the expedited 7-day review period, as mentioned on page 34, would be applicable under the circumstances of the proposed program. Per Stipulation VI of the PA, the expedited review period remains in effect for only 30 days after the discovery of an emergency, unless it is extended in 30 day increments. Further, throughout the cultural resources section of the PEA should be to Stipulation VII: Standard Project Review, not Stipulation VI: Expedited Project Review for Emergencies.*

FEMA response: The PEA cultural section will be revised in the final version of the PEA to state the invocation of Stipulation VII instead of VI.

- *THC Comment: Additionally, we have noted that the AHPP housing units will be "designed with a 'Texas Vernacular' style that can meet neighborhood and community standards throughout Texas." In order to expedite future Section 106 reviews we request to review this design when it is developed to evaluate its potential compatibility with the character of National Register-listed and eligible historic districts within the program area.*

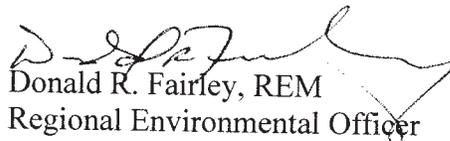
FEMA response: The FEMA applicant, the Texas Department of Housing and Community Affairs (TDHCA) and their design contractors developed the Texas Vernacular' style to meet such compatibility concerns. Attached is a pdf created by the Heston Group which contains the plan and views of the typical cottage. In addition, photographs of the exterior and interior of a typical 'Texas Vernacular' cottage. FEMA welcomes the THC's responses to the design.

In addition, a process which will ensure Section 106 compliance has been determined through discussions with your office and Amy Barnes with FEMA via phone conversations on December 15, 2008. The process is outlined below:

- All sites will be reviewed by a Secretary of the Interior-qualified archeologist using the Texas Archeological Sites Atlas system to identify potential historic resource issues.
- Any structures located on the site that are more than 45 years old will be examined for National Register of Historic Places eligibility.
- Sites where no ground disturbance will occur and the area has low probability for archeological resources do not require SHPO review. In these cases, a memo to file will be prepared documenting the process and findings and submitted to FEMA Environmental for review and approval. Each site will have its own memo.
- For all other sites where there are potential historic resource issues, Section 106 documentation will be prepared. The documentation will include a map showing the site location with any structures clearly noted as well as photographs with captions. A summary table will be included in the letter with the addresses of any properties to be removed along with their construction date and the determination of eligibility.

If you should have any questions or need additional information, please contact Amy Barnes, FEMA Environmental Specialist, by mail at FEMA Region VI, 800 North Loop 288, Denton, TX 76209-3698, or by Fax: (940) 898-5195.

Sincerely,


Donald R. Fairley, REM
Regional Environmental Officer
FEMA Region VI

attachments



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Division of Ecological Services

17629 El Camino Real #211

Houston, Texas 77058-3051

281/286-8282 FAX 281/488-5882

December 2, 2008



Donald R. Fairley, REM
Regional Environmental Officer
FEMA Region VI
800 North Loop 288
Denton, Texas 76209
ATTN: Amy Barnes

Dear Mr. Fairley:

Thank you for your letter dated October 31, 2008, requesting our review of the Federal Emergency Management Agency (FEMA)'s Programmatic Environmental Assessment for the Alternative Housing Pilot Program Permanent Housing for the State of Texas.

According to Section 7(a)(2) of the Endangered Species Act and the implementing regulations, it is the responsibility of each federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any federally listed species. Therefore, we are providing information to assist you in meeting your obligations under the Endangered Species Act.

A county by county listing of federally listed threatened and endangered species that occur within this office's work area can be found at <http://www.fws.gov/southwest/es/EndangeredSpecies/>. You should use the county by county listing and other current species information to determine whether suitable habitat for a listed species is present at your project site. If suitable habitat is present, a qualified individual should conduct surveys to determine whether a listed species is present. After completing a habitat evaluation and/or any necessary surveys, you should evaluate the project for potential effects to listed species and make one of the following determinations:

No effect – the proposed action will not affect federally listed species or critical habitat (i.e., suitable habitat for the species occurring in the project county is not present in or adjacent to the action area). No coordination or contact with the Service is necessary. However, if the project changes or additional information on the distribution of listed or proposed species becomes available, the project should be reanalyzed for effects not previously considered.

Is not likely to adversely affect – the project may affect listed species and/or critical habitat; however, the effects are expected to be discountable, insignificant, or completely beneficial. Certain avoidance and minimization measures may need to be implemented in order to reach this level of effects. You should seek written concurrence from the Service that adverse effects have been eliminated. Be sure to include all of the information and documentation you used to reach

TAKE PRIDE
IN AMERICA 

Donald R. Fairley, REM

November 26, 2008

Page 2

your decision with your request for concurrence. The Service must have this documentation before issuing a concurrence.

Is likely to adversely affect – adverse effects to listed species may occur as a direct or indirect result of the proposed action or its interrelated or interdependent actions, and the effect is not discountable, insignificant, or beneficial. If the overall effect of the proposed action is beneficial to the listed species but also is likely to cause some adverse effects to individuals of that species, then the proposed action “is likely to adversely affect” the listed species. An “is likely to adversely affect” determination requires formal Section 7 consultation with this office.

In general, projects that include the placement of housing units on the existing footprint of a former dwelling can be expected to have no effect on listed species. However, housing units that are placed outside of the footprint of the former dwelling, placed on previously disturbed land, or placed on undeveloped land should be thoroughly evaluated for potential effects on listed species.

The Service’s Consultation Handbook is available online to assist you with further information on definitions, process, and fulfilling Endangered Species Act requirements for your projects at <http://endangered.fws.gov/consultations/s7hndbk/s7hndbk.htm>.

Our comments are provided in accordance with the provisions of the Endangered Species Act of 1973 (87) Stat. 884, as amended; 16 U.S.C. 703 et seq.

Please contact Catherine Yeargan at 281/286-8282 if you have questions or need further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stephen D. Parris".

Stephen D. Parris
Field Supervisor, Clear Lake ES Field Office



November 11, 2008

Chamber County Library (Main Branch)
202 Cummings
Anahuac, TX 77514

RE: Draft Programmatic Environmental Assessment for the Alternative Housing Pilot Program, State of Texas

Dear Librarian:

Federal Emergency Management Agency (FEMA) requests that your library make available to the public the enclosed, *Draft Programmatic Environmental Assessment for the Alternative Housing Pilot Program, State of Texas*, for a 30-day public review period. Please place a copy of this letter and the draft Programmatic Environmental Assessment (PEA) in a location that facilitates public review. The public comment period begins on November 12, 2008 and all comments must be received no later than December 12, 2008.

As part of the National Environmental Policy Act of 1969 (NEPA) and its implementing regulations 40 Code of Federal Regulations (C.F.R.) Part 1500 and 44 C.F.R. Part 10, FEMA has prepared a draft PEA to evaluate the environmental consequences of providing permanent housing to displaced residents of Texas by the Alternative Housing Pilot Program (AHPP). Through FEMA funding, the Texas Department of Housing and Community Affairs (TDHCA), Disaster Recovery Division has applied for FEMA funding under the AHPP to provide permanent housing within Chambers, Hardin, Harris, Jasper, Jefferson, Liberty, Newton, Orange, Polk, and Tyler counties. This draft PEA analyses five scenarios or alternatives which would provide AHPP permanent installation projects throughout the ten affected counties within the State of Texas.

Recognizing the extensive and complex housing challenges facing victims and communities as a result of Hurricane Rita and acknowledging the limitations on FEMA ordinary statutory authority to provide non-temporary housing solutions, Congress appropriated funds to the Department of Homeland Security to support alternative housing pilot programs (Emergency Supplemental Appropriations Act, 2006, Public Law 109-234). The AHPP represents a one-time exception to FEMA's existing authority under the Stafford Act, which legally binds FEMA to a temporary housing mission reliant primarily on mobile homes and manufactured homes, by providing an opportunity to

explore, implement, and evaluate innovative approaches to housing solutions, and to address ongoing housing challenges created by the 2005 hurricane season in the states of the Gulf Coast region, including the State of Texas.

Based on the NEPA analysis, FEMA has determined that this draft PEA fully and accurately describes the impacts to the human and natural environment. FEMA will prepare a memorandum documenting this determination and stating that FEMA has reviewed the alternatives, and all direct, indirect and cumulative impacts, and found them to be accurately described in the PEA. Should FEMA determine that an action has the potential to affect a specific resource; a tiered Supplemental Environmental Assessment would be prepared. Additionally, should an action fall outside the scenarios illustrated in the PEA, FEMA would prepare an EA for that proposed action.

The enclosed document is also available to the public by downloading from FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>. The 30-day comment period will start on November 12, 2008 and end on December 12, 2008. Please submit your comments to Amy Barnes, FRC 800 North Loop 288, Denton, TX 76209-3698, or by fax: (940) 898-5195 or email: FEMA-pea-comments@dhs.gov.

I appreciate your assistance with FEMA's efforts to invite public involvement in their decision-making process.

Sincerely,

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Denise Rousseau Ford
Project Manager

Enclosure

ref: 804200001s



November 11, 2008

South Houston Branch Library
607 Avenue A
South Houston, TX 77587

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Denise Rousseau Ford
Project Manager

Enclosure

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November 11, 2008

Beaumont Public Library
801 Pearl
Beaumont, TX 77701

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Project Manager

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November 11, 2008

Tyler Public Library
201 South College Avenue
Tyler, TX 75702

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Denise Rousseau Ford
Project Manager

Enclosure

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November 11, 2008

Mickey Reily Public Library
604 South Mathews Street
Corrigan, TX 75939

RE: Draft Programmatic Environmental Assessment for the Alternative Housing Pilot Program, State of Texas

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Denise Rousseau Ford
Project Manager

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November 11, 2008

Jones Public Library
307 West Houston Street
Dayton, TX 77535

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Denise Rousseau Ford
Project Manager

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November 11, 2008

Orange Public Library
220 North 5th Street
Orange, TX 77630

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Project Manager

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November 11, 2008

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175 Water Street
Jasper, TX 75951

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The enclosed document is also available to the public by downloading from FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>. The 30-day comment period will start on November 12, 2008 and end on December 12, 2008. Please submit your comments to Amy Barnes, FRC 800 North Loop 288, Denton, TX 76209-3698, or by fax: (940) 898-5195 or email: FEMA-pea-comments@dhs.gov.

I appreciate your assistance with FEMA's efforts to invite public involvement in their decision-making process.

Sincerely,

A handwritten signature in blue ink that reads "Denise Rousseau Ford". The signature is fluid and cursive, with the first name "Denise" being the most prominent.

Denise Rousseau Ford
Project Manager

Enclosure

ref: 804200001s



November 11, 2008

Newton County Public Library
212 High Street
Newton, TX 75966

RE: Draft Programmatic Environmental Assessment for the Alternative Housing Pilot Program, State of Texas

Dear Librarian:

Federal Emergency Management Agency (FEMA) requests that your library make available to the public the enclosed, *Draft Programmatic Environmental Assessment for the Alternative Housing Pilot Program, State of Texas*, for a 30-day public review period. Please place a copy of this letter and the draft Programmatic Environmental Assessment (PEA) in a location that facilitates public review. The public comment period begins on November 12, 2008 and all comments must be received no later than December 12, 2008.

As part of the National Environmental Policy Act of 1969 (NEPA) and its implementing regulations 40 Code of Federal Regulations (C.F.R.) Part 1500 and 44 C.F.R. Part 10, FEMA has prepared a draft PEA to evaluate the environmental consequences of providing permanent housing to displaced residents of Texas by the Alternative Housing Pilot Program (AHPP). Through FEMA funding, the Texas Department of Housing and Community Affairs (TDHCA), Disaster Recovery Division has applied for FEMA funding under the AHPP to provide permanent housing within Chambers, Hardin, Harris, Jasper, Jefferson, Liberty, Newton, Orange, Polk, and Tyler counties. This draft PEA analyses five scenarios or alternatives which would provide AHPP permanent installation projects throughout the ten affected counties within the State of Texas.

Recognizing the extensive and complex housing challenges facing victims and communities as a result of Hurricane Rita and acknowledging the limitations on FEMA ordinary statutory authority to provide non-temporary housing solutions, Congress appropriated funds to the Department of Homeland Security to support alternative housing pilot programs (Emergency Supplemental Appropriations Act, 2006, Public Law 109-234). The AHPP represents a one-time exception to FEMA's existing authority under the Stafford Act, which legally binds FEMA to a temporary housing mission reliant primarily on mobile homes and manufactured homes, by providing an opportunity to

explore, implement, and evaluate innovative approaches to housing solutions, and to address ongoing housing challenges created by the 2005 hurricane season in the states of the Gulf Coast region, including the State of Texas.

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Denise Rousseau Ford
Project Manager

Enclosure

ref: 804200001s



November 11, 2008

Alma M Carpenter Public Library
300 South Ann Street
Sour Lake, TX 77659

RE: Draft Programmatic Environmental Assessment for the Alternative Housing Pilot Program, State of Texas

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Denise Rousseau Ford
Project Manager

Enclosure

ref: 804200001s



FEMA

October 31, 2008

F. Lawrence Oaks
State Historic Preservation Officer
Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711-2276

RE: Consultation request and review of the draft Programmatic Environmental Assessment for the Alternative Housing Pilot Program Permanent Housing for the State of Texas

Dear Mr. Oaks:

Recognizing the extensive and complex housing challenges facing victims and communities as a result of Hurricanes Katrina and Rita, and acknowledging the limitations on Federal Emergency Management Agency's (FEMA) ordinary statutory authority to provide non-temporary housing solutions, Congress appropriated funds to the Department of Homeland Security to support alternative housing pilot programs (Emergency Supplemental Appropriations Act, 2006, Public Law 109-234). The Alternative Housing Pilot Program (AHPP) represents a one-time exception to FEMA's existing authority under the Stafford Act, which legally binds FEMA to a temporary housing mission reliant primarily on travel trailers and manufactured homes, by providing an opportunity to explore, implement, and evaluate innovative approaches to housing solutions, and to address ongoing housing challenges created by the 2005 hurricane season in the states of the Gulf Coast region, including the State of Texas.

The Texas Department of Housing and Community Affairs (TDHCA) Disaster Recovery Division applied for FEMA funding under the AHPP to provide both temporary and permanent housing solutions for eligible families displaced from Hurricane Rita. TDHCA proposes to provide permanent housing within Chambers, Hardin, Harris, Jasper, Jefferson, Liberty, Newton, Orange, Polk, and Tyler counties.

The National Environmental Policy Act of 1969 (NEPA) and its implementing regulations 40 C.F.R. Part 1500 and 44 C.F.R. Part 10 direct FEMA to take into consideration the environmental consequences of proposed actions during the decision-making process. FEMA must comply with NEPA before making Federal funds available for any FEMA program.

FEMA determined that the recurring proposed actions that require an Environmental Assessment can be grouped by the nature and location of the proposed actions. These actions can be evaluated through a Programmatic Environmental Assessment (PEA) for compliance with NEPA

and its implementing regulations without developing an EA for every action. FEMA determined that a PEA can be prepared to analyze the potential environmental impacts of TDHCA's proposed permanent housing phase within the ten abovementioned counties. Gulf South Research Corporation has been retained by FEMA to prepare a PEA for the AHPP permanent installation projects. FEMA will use this PEA to determine the level of environmental documentation required under NEPA for any proposed permanent housing action in Texas, given the available site-specific information. If the alternatives, levels of analysis, and site-specific information of an action proposed for FEMA funding are fully and accurately described in this PEA, FEMA will prepare a memorandum documenting this determination. This memorandum would state that FEMA has reviewed the proposed action, alternatives, and potential direct, indirect and cumulative impacts and found them to be accurately described by this PEA and its associated Finding of No Significant Impact. Should FEMA determine that an action has the potential to affect a resource; a tiered Supplemental Environmental Assessment would be prepared. Should an action fall outside the alternatives outlined below, FEMA would prepare an EA for that proposed action.

At this time, FEMA requests that your agency review the draft PEA which can be viewed on and downloaded from FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>. Any concerns raised will be addressed in the PEA and formal consultation will allow for your review of the final document.

Alternative 1: No Action Alternative. Persons who are receiving temporary resources would continue to do so. The No Action Alternative is defined as maintaining the *status quo*, with no FEMA funding for long-term or permanent housing. This alternative evaluates the effects of not providing long-term or permanent housing and provides a benchmark against which the action alternatives may be evaluated.

Alternative 2: Installation of a Permanent AHPP Unit on the Former Dwelling Footprint. Under this alternative, AHPP units would be placed on the eligible applicant's property, within the former dwelling's footprint. As AHPP units would be placed within the former dwelling's footprint, all sites consist of previously disturbed land. All units would be located outside of the Coastal High Hazard Area (CHHA) and the 100-year floodplain and elevated above the Base Flood Elevation (BFE), where applicable.

Alternative 3: Installation of a Permanent AHPP Unit on a New Footprint Within the Property Occupied by the Former Dwelling. This alternative would place AHPP units on the same property as the applicant's former dwelling, but in a location outside of the footprint of the storm-damaged housing structure, at the applicant's request. Projects under this alternative would include the placement of units on either disturbed or undisturbed portions of the applicant's property. All units would be located outside of the CHHA and the 100-year floodplain and elevated above the BFE, where applicable.

Alternative 4: Installation of a Permanent AHPP Unit on an Alternate Site on Previously Disturbed Land. This alternative would locate a single AHPP unit at an alternate property than

the applicant's former dwelling, placing the unit on previously disturbed land. Previously disturbed land would include land that was previously residential or agricultural. The site would be cleared of all debris and vegetation, then grubbed, contoured, and graded, if necessary. Additional ground disturbing activities would include the installation or modification of utilities (*i.e.*, utility lines, septic systems, water wells) and entryways (driveways, sidewalks, *etc.*). All units would be located outside the CHHA and the 100-year floodplain.

Alternative 5: Installation of a Permanent AHPP Unit on an Alternate Site on Undeveloped Land. Under this alternative, a single AHPP unit would be installed at an alternate property than the applicant's former dwelling, placing the unit on undeveloped land. The site would be cleared of all debris and vegetation, then grubbed, contoured, and graded, if necessary.

We would appreciate any available information under your agency's jurisdiction to assist us in efforts to aid in the approval of this PEA. The 30-day comment period will start on November 5, 2008 and end on December 4, 2008. Please submit your comments to Amy Barnes, FEMA Region VI, 800 North Loop 288, Denton, TX 76209-3698, or by Fax: (940) 898-5195 or email: FEMA-pea-comments@dhs.gov.

Sincerely,



Donald R. Fairley, REM
Regional Environmental Officer
FEMA Region VI



FEMA

October 31, 2008

Adam Zerrenner
Field Supervisor
Austin Ecological Services Field Office
U.S. Fish and Wildlife Services
10711 Burnet Road, Suite 200
Austin, Texas 78758

RE: Consultation request and review of the draft Programmatic Environmental Assessment for the Alternative Housing Pilot Program Permanent Housing for the State of Texas

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Sincerely,



Donald R. Fairley, REM
Regional Environmental Officer
FEMA Region VI

APPENDIX B
Figures



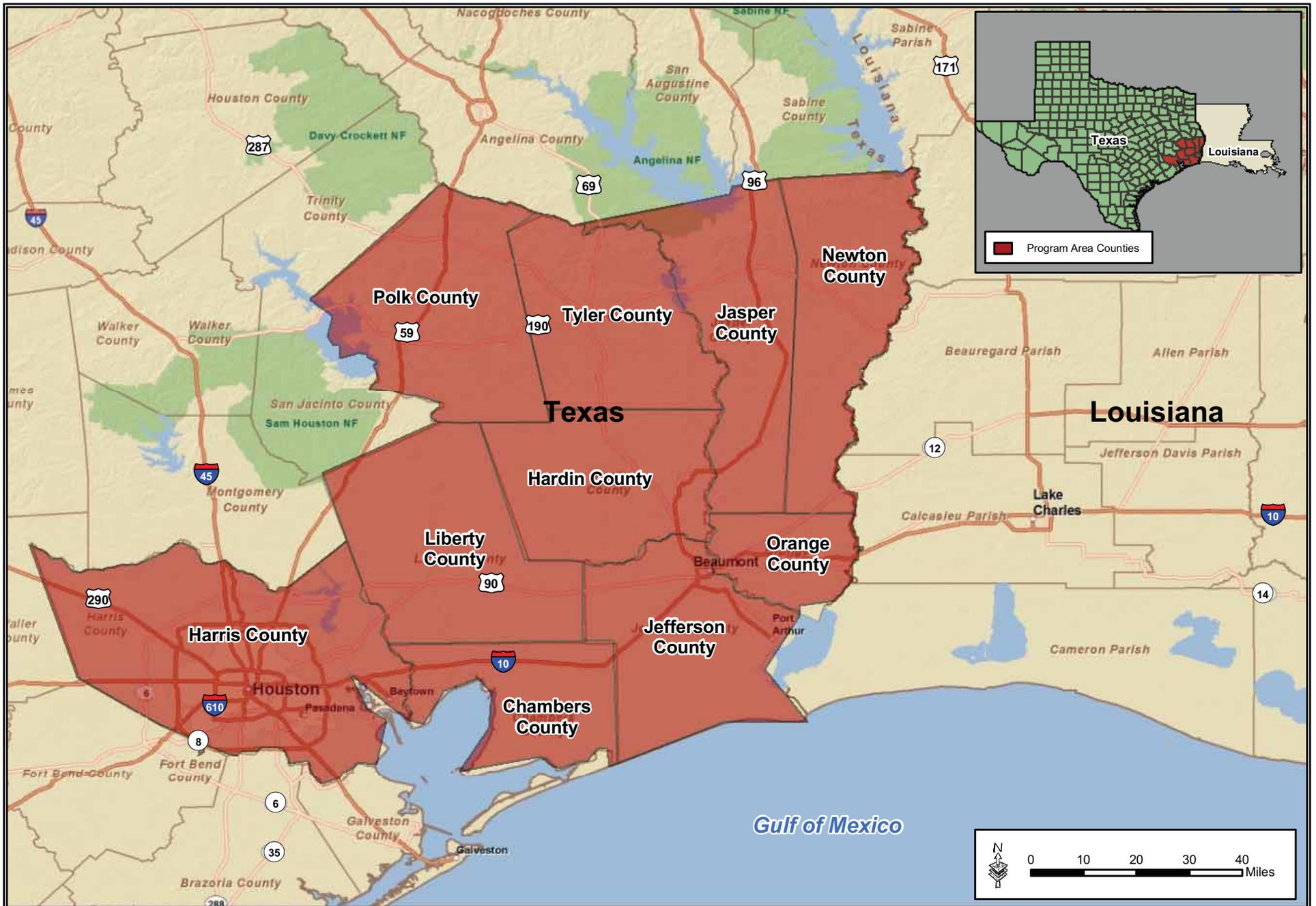


Figure 1: Program Area

APPENDIX C
Threatened and Endangered Species

Table 1. Threatened and Endangered Species Occurring in the Program Area

Scientific Name	Common Name	Status	Counties
bald eagle	<i>Haliaeetus leucocephalus</i>	DM	Chambers, Hardin, Harris, Jasper, Jefferson, Liberty, Newton, Orange, Polk, and Tyler
brown pelican	<i>Pelecanus occidentalis</i>	DM, E	Chambers
green sea turtle	<i>Chelonia mydas</i>	E, T	Chambers and Jefferson
hawksbill sea turtle	<i>Eretmochelys imbricata</i>	E	Chambers and Jefferson
Kemp's ridley sea turtle	<i>Lepidochelys kempii</i>	E	Chambers and Jefferson
leatherback sea turtle	<i>Dermochelys coriacea</i>	E	Chambers and Jefferson
loggerhead sea turtle	<i>Caretta caretta</i>	T	Chambers and Jefferson
Louisiana black bear	<i>Ursus americanus luteolus</i>	T	Jasper and Newton
Louisiana pine snake	<i>Pituophis ruthveni</i>	C	Jasper, Newton, and Tyler
Navasota ladies'-tresses	<i>Spiranthes parksii</i>	E	Jasper
piping Plover	<i>Charadrius melodus</i>	E, T	Chambers and Jefferson
red-cockaded woodpecker	<i>Picoides borealis</i>	E	Hardin, Jasper, Liberty, Newton, Polk, and Tyler
Texas prairie dawn-flower	<i>Hymenoxys texana</i>	E	Harris
Texas trailing phlox	<i>Phlox nivalis ssp. texensis</i>	E	Hardin, Polk, and Tyler

E = endangered, T = threatened, C = candidate, DM = Delisted Taxon, Recovered, Being Monitored First Five Years
 Source: USFWS 2008b

