

**ENVIRONMENTAL ASSESSMENT
FOR
RELOCATION OF FIRE STATION
CITY OF OIL TROUGH
INDEPENDENCE COUNTY, ARKANSAS
FEMA 1751-DR-AR
Project Worksheet # 2435**

1.0 INTRODUCTION

1.1 Project Authority

In accordance with 44 Code of Federal Regulation (CFR) for the Federal Emergency Management Agency (FEMA), Subpart B – Agency Implementing Procedures, Section 10.9, an Environmental Assessment (EA) was prepared pursuant to Section 102 of the National Environmental Policy Act of 1969, as implemented by the regulations promulgated by the President’s Council on Environmental Quality (40 CFR Parts 1500-1508). The EA addresses site-specific impacts associated with the relocation of the City of Oil Trough Fire Station in Independence County, Arkansas. The results of this EA will be used to decide whether to initiate preparation of an Environmental Impact Statement (EIS) or to prepare a Finding of No Significant Impact (FONSI).

1.2 Project Location

Independence County is located in the northeastern portion of Arkansas approximately 100 miles northeast from Little Rock and is approximately 772 total square miles. The county is crossed by the White River, which forms in Baxter County, ends in Arkansas County at its confluence with the Arkansas River (Figure 1.0). Independence County is served by U.S. Highway 167 and by State Highways 14, 25, 37, 69 and 87. It is roughly square in shape. It was created in October 1820 from part of Lawrence County. Its name comes from the Declaration of Independence. The landscape of the county is rolling hills, foothills of the Ozarks, except for river delta farmland in the southeast section. The county seat is Batesville. Agriculture is the economic base of the county, primarily is cattle and poultry production and processing. Some manufacturing is located near Batesville. The scenic White River coming into Batesville has the typical Ozark bends, riffles, shoals and pools surrounded by forest, rock, and hillsides.

The city of Oil Trough is located in the southeastern part of the county approximately 18 miles southeast of Batesville along Hwy 14 at 35.629572,-91.461366 (Figure 1.1). The proposed location of the new fire station is to be built on a previously disturbed site located at 100 Main Street (Figure 1.2). The town is believed to have acquired its name in the early 1800s from a trough used to render bear fat, which was sold to customers in New Orleans.

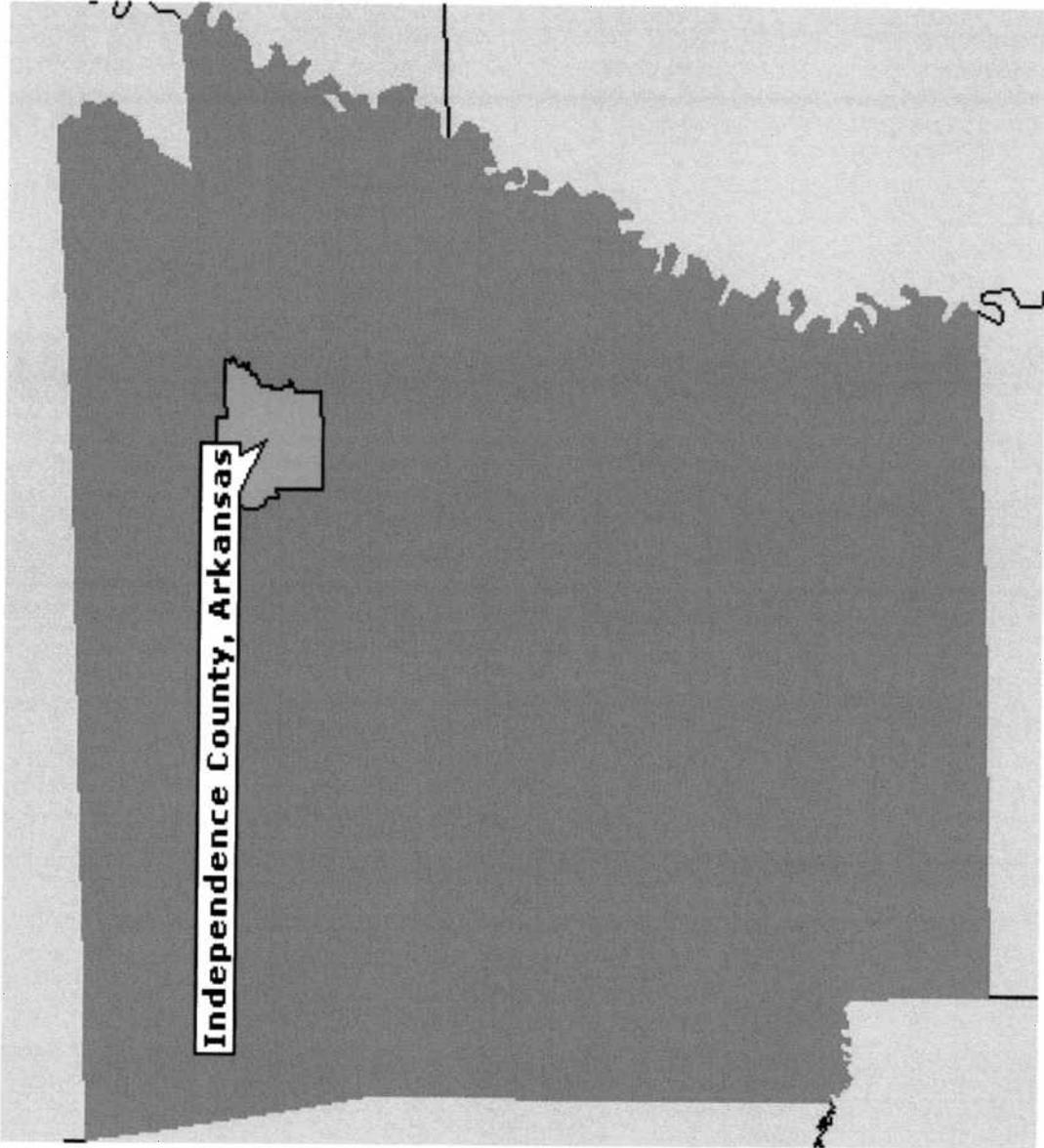


Figure 1.0 Reference Map



1.3 Purpose and Need for the Proposed Action

Beginning on 18 March, 2008, a series of severe storms, tornadoes and flooding occurred throughout Arkansas causing extensive damage. On 26 March 2008, following a request from Governor Beebe to the President, a Presidential Disaster Declaration (FEMA-1751-DR-AR) was issued due to severe storms and tornados for 35 counties and amended on 9 April, 14 April, 21 April, 23 April, 1 May, and 22 May 2008, to include a total of 56 counties.

During the incident period, a major flooding heavily damaged the City of Oil Trough's fire station, a 3,920 square foot metal building containing one bay, class room, rest room, and overhead storage. This structure was located on 430 Moore Street which is owned by the city. This project is classified as an Improved Project. It is proposed to relocate the fire station to a site on Main Street, Oil Trough, AR. This site was previously a café; however it was destroyed by fire approximately ten years ago. Following that event, all that remained is a gravel pad. A local land owner has donated this parcel of land to the city of Oil Trough in order to build a larger facility that is outside the flood zone. A copy of this document is located in Appendix A.

In order to restore the facility that was destroyed as a result of the flooding, FEMA is proposing to participate in funding the relocation of the fire station up to the limits of repairing the facility to pre-disaster conditions at the original location. The remaining required funding will be the responsibility of the city of Oil Trough.

2.0 ALTERNATIVES CONSIDERED

2.1 No Action

Implementation of No Action Alternative would entail no construction or replacement of the facilities destroyed by the storm event. As a consequence, the city of Oil Trough would be without a fire station, therefore unable to provide fire protection to the 500 + residents that it services. The nearest response agency that could react to a fire or emergency is the community of Union Thida Hill or South Side which is approximately five miles from the farthest dwelling.

2.2 Reconstruction at Original Site

This alternative would be to reconstruct the destroyed fire station on the original site to pre-disaster configuration, function and capacity. The new facility would be constructed on an existing disturbed lot. It would be a freestanding metal building with a corrugated metal roof. The previous site is owned by the city; however it is located within Zone A of the Special Flood Hazard Area. Under 44 Federal Code of Regulations (CFR) 9.11(d)(3)(ii) there shall be no new construction or substantial improvement of structures involving a critical action unlessit is at or above the level of the 500-year flood. If the structure was to be rebuilt on previous site, it must be elevated to such levels that it is above the 500-year level.

2.3 Construction of New Fire Station on South Street

This alternative consists of relocating the fire station to South Street in Oil Trough. This location would cost the city \$30,000 to purchase the land. This alternative is considered cost prohibitive as the new facility will cost less than \$25,000 to build.

2.4 Construction of an Improved Fire Station at an Alternate Location- Preferred Alternative

The proposed action is construction of an improved fire station at a site approximately one mile from the original location. The city was donated a small parcel of land to relocate the station to a location outside the flood zone. The new fire station would be constructed on a concrete slab (Figure 1.3) that is approximately 6,300 square feet with seven bays, used to store the two class one pumpers, rescue truck, two brush trucks and two tankers owned by the fire department. Site preparation would be minimal as the ground is mostly level and previously cleared of vegetation. The building will be constructed of metal siding with a concrete floor.

3.0 DESCRIPTION OF THE AFFECTED ENVIRONMENT AND IMPACTS

3.1 Land Use and Zoning

In Independence County, Arkansas, the majority of the land use and economic base of the county is agriculture; cattle, chickens, hay, and watermelons, and some light manufacturing. The city is not currently zoned for any commercial or residential areas.

Geology, Seismicity and Soils

Because the proposed project involves the construction of a new building, Executive Order 12699, Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction, applies to the proposed project. According to the Executive Order, the construction of the proposed project must use appropriate seismic design and construction standards and practices. The 1997 Uniform Building Code and American Society of Civil Engineers Standard 7-95 are the only model codes that are substantially equivalent to Federal recommendations for new building seismic design and construction. According to the U.S. Geological Survey (USGS) National Seismic Hazard Mapping Project, there is low to moderate probability of seismic activity within the project area (USGS 2008).

According to the Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), the soils on the proposed site are known as Egam. It is a silt loam that is partially hydric with a 0-1 % slope and is moderately well drained. Depth to water is approximately 36 to 48 inches and area has a mean temperature of 48-71 degrees Fahrenheit with mean annual precipitation of 39-54 inches.

The Farmland Protection Policy Act (P.L. 97-98, Sec. 1539-1549; 7 U.S. Code 4201, et seq.) was enacted to minimize the unnecessary conversion of farmland to non-agricultural uses as a result of federal actions. The Act requires federal agencies to evaluate the adverse effects of their activities on prime and unique farmland as well as farmland of statewide and local importance. NRCS is responsible for protecting significant agriculture lands from irreversible conversions that result in the loss of an essential food or environmental resource. Prime farmland is characterized as land with the best physical and chemical characteristics for the production of food, feed, forage, fiber and oilseed crops. This land is either used for food or fiber crops or is available for those crops, but is not urban, built-up land, or water areas. Unique farmland is land other than prime farmland that is used for production of specific high-value food and fiber crops. It has the special combination of soil quality, location, growing season and moisture supply needed to economically produce sustained high quality, high yields or specific crops when treated and managed according to acceptable farming methods. The Egam soil is classified as a prime farmland soil; however it has been previously converted to urban development and is no longer suitable for farmland. (NRCS WSS 2008).

3.2 Water Resources and Water Quality

3.3.1 Surface and Groundwater

There are no rivers, creeks or other defined drainages on the proposed project site. The major surface water feature adjacent to the city is the White River. The city of Oil Trough receives its drinking water from local ground water wells, as there is not an impoundment large enough to service the city.

3.3.2 Wetlands and Waters of the U.S.

The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or fill material into waters of the U.S., including wetlands, pursuant to Section 404 of the Clean Water Act. Wetlands are identified 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 soil conditions. In addition, Executive Order 11990, Protection of Wetlands, directs federal agencies to take actions to minimize the destruction, loss or degradation of wetlands and to preserve and enhance the values of wetlands on federal property.

Relocation of the fire station to the proposed location would not destroy or modify wetlands, have an adverse effect on the natural values of wetlands, or directly or indirectly support new development on wetlands. A USGS quadrangle map of the area and an aerial photograph confirm that there is no potential to impact wetlands and/or other waters of the U.S. on or near the site. A review of the National Wetlands Inventory also indicates there are no wetlands located near the project site (Figure 3.1) (NWI, Dec 08).

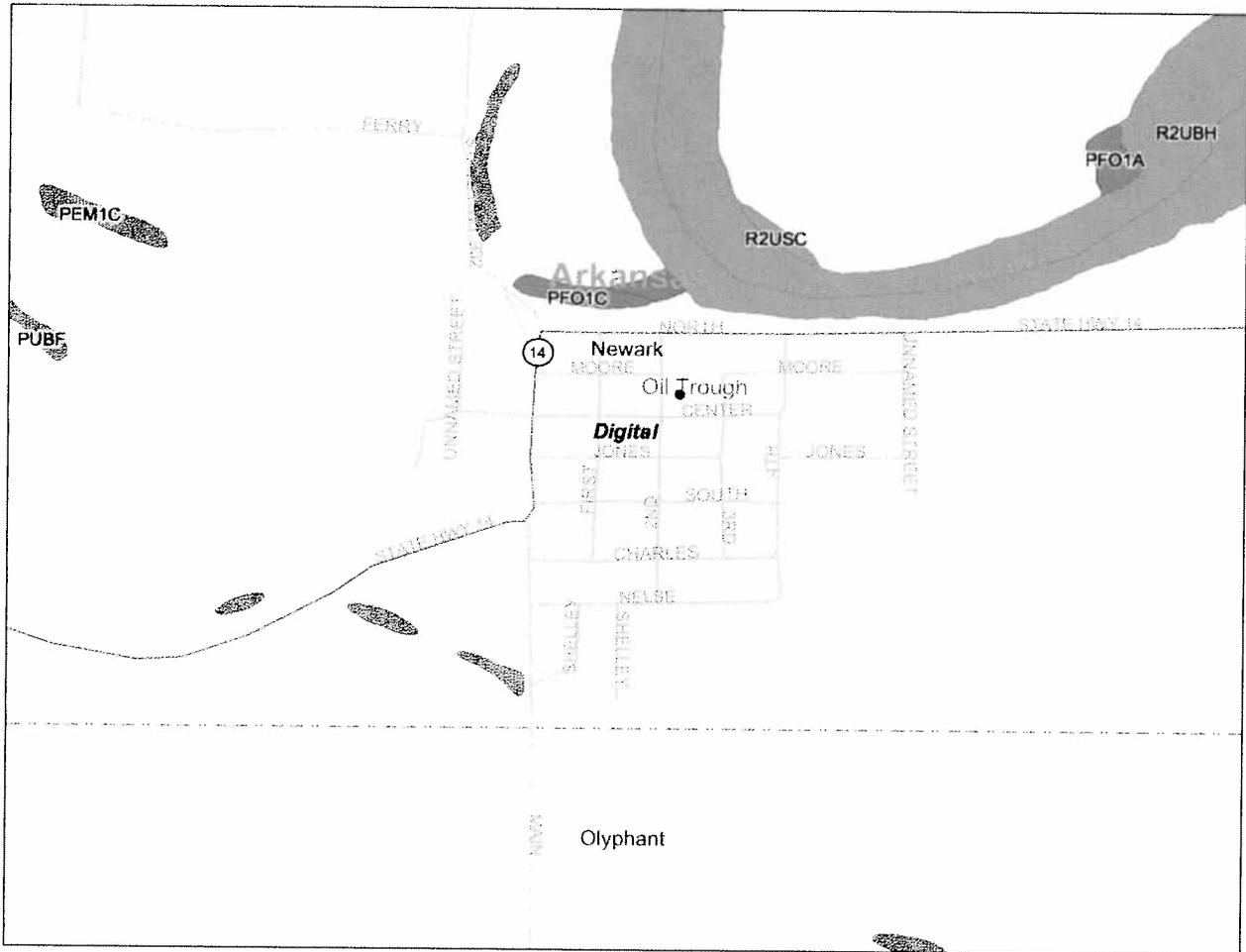


Figure 3.1 National Wetland Inventory Map

3.3.3 Floodplains

In compliance with FEMA policy implementing Executive Order 11988, Floodplain Management, the project was reviewed for possible impacts associated with occupancy or modification to a floodplain. According to the National Flood Insurance Program’s Flood Insurance Rate Map (FIRM) 050093A panel 01, dated 21 November 1975, sites are located outside the special flood hazard areas. (Figure 3.2) The town of Oil Trough enrolled in the national flood insurance program 06/01/1987. The present site location is in Zone A, special flood hazard area. Project is for relocation of a critical facility to outside the special flood hazard area. A required 8-step process was completed, in addition to elevation certificates, and is on file. The proposed relocation sites are located outside the special flood hazard area

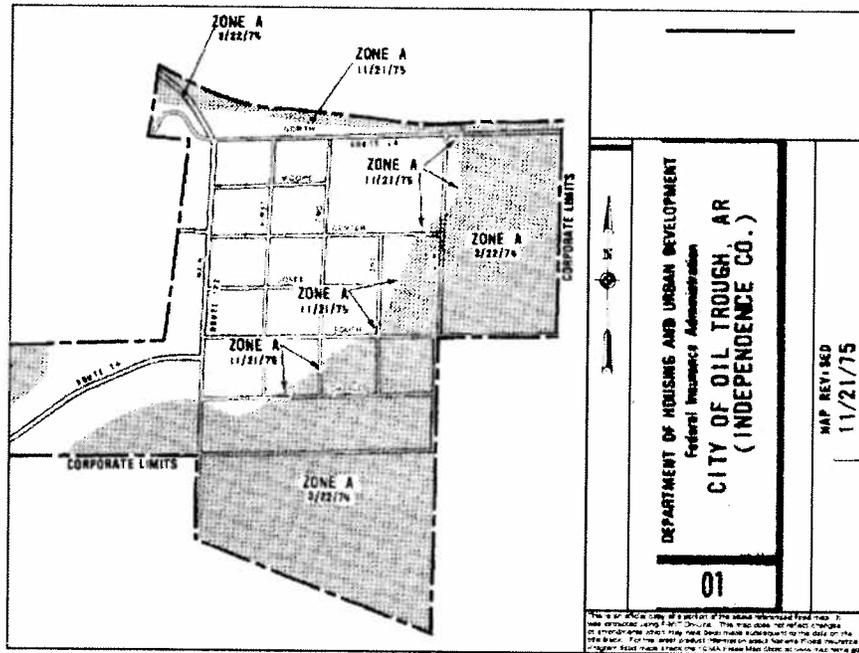


Figure 3.2 Flood Insurance Rate Map (panel 01)

3.3 Air Quality

The Environmental Protection Agency (EPA) uses six “criteria pollutants” as indicators of air quality, and has established for each of them a maximum concentration above which adverse effects to human health may occur. These threshold concentrations are called National Ambient Air Quality Standards (NAAQS).

The EPA has designated specific areas as NAAQS attainment or non-attainment areas. Non-attainment areas are any areas that do not meet the quality standards for a pollutant. These areas are subject to corrective actions specified by EPA, including restrictions on certain types of activities. Attainment areas are any areas that meet ambient air quality standards. Per phone conversation with Bill Swafford of the Arkansas Department of Environmental Quality on 18 September 2008, Independence County is in attainment for all six criteria pollutants and has no restrictions. Boundary Designations for the 1997 8-Hour Zone Standard for EPA Region 6 as of 2 September 2008 show that Crittenden is the only county in Arkansas that is in non-attainment, which is on the eastern border of the state along the Mississippi River. Construction of the proposed fire station would involve pollutant emissions from construction equipment which could result in minor effects to air quality in the area immediately surrounding the construction activity. Fugitive dust would escape into the atmosphere during these activities. However, the effects would be localized and of short duration and would not jeopardize the attainment status of Sharp County. The contractor would be required to keep all equipment in good working order to minimize air pollution.

3.5 Noise

Noise is generally described as unwanted sound. Existing ambient noise levels in the area are consistent with rural farming and ranch-related equipment. There is also traffic noise from U.S. Highways 62/412. Noise levels within and adjacent to the project area would increase during the proposed construction activities as a result of construction equipment. The noise levels generated would be limited to workday daylight hours for the duration of the work and not cause long term negative impacts. Although the fire station by nature has noise associated, the new station will not increase noise levels beyond previous conditions.

3.6 Biological Resources

3.6.1 Vegetation

Native vegetation to the area includes Big and Little Bluestem, Switchgrass, Virginia Creeper, Muscadine and Beauty berry in addition to native trees such as White Oak, Sweet gum, Black Gum, Elm, Shortleaf pine, Eastern red cedar and Cottonwood. Other plants that have been introduced locally and are commonly used for pastures are Bermuda grass, Fescue, Clovers and Alfalfa. The proposed site is previously disturbed and is currently surrounded by agricultural crops. It is primarily void of vegetation and therefore there will be minimal impact to site.

3.6.2 Threatened and Endangered Species and Critical Habitat

In compliance with Section 7 of the Endangered Species Act, federal agencies are required to consider the impacts to threatened and endangered species. A search of the U.S Fish and Wildlife Service website of threatened and endangered species resulted in a list of seven endangered species in Independence County. These are the Gray bat (*Myotis grisescens*), Indiana bat (*Myotis sodalis*), Pink mucket pearl mussel (*Lampsilis orbiculata*), Scaleshell mussel (*Leptodea leptodon*), Interior least tern (*Sterna antillarum*) and the Running buffalo clover *Trifolium stoloniferum* Pallid sturgeon (*Scaphirhynchus albus*). In addition, the Ozark hellbender (*Cryptobranchus alleganiensis bishopi*) is listed as a candidate species. (USFWS, 2008)

The location of the project is within the developed portion of the city and FEMA has determined that the proposed activity is not likely to adversely affect any listed endangered species. Therefore no consultation with the U.S. Fish and Wildlife Service was required.

3.7 Cultural Resources

In addition to review under the National Environmental Policy Act (NEPA), consideration of impacts to cultural resources is mandated under Section 106 of the National Historic Preservation Act (NHPA), as amended, implemented by 36 CFR Part 800. Requirements include the identification of significant historic properties that may be impacted by the proposed action or alternatives within the project's area of potential effect. Historic properties are defined as archaeological sites, standing structures or other historic resources listed in or determined eligible for listing in the National Register of Historic Places. If

adverse effects on historic, archaeological or cultural properties are identified, agencies must consider effects of their activities and attempt to avoid, minimize, or mitigate the impacts to these resources.

On 25 September 2008, FEMA requested concurrence from the Arkansas Historic Preservation Office that the proposed project would not have an adverse effect on Historic Properties. The State Historic Preservation Officer (SHPO) responded by requiring a Phase I Archaeological Survey of the proposed area. This survey was conducted by Weaver & Associates, LLC (2008) and determined that the project would have no adverse affect on cultural resources. The SHPO concurred with that finding with letter dated 4 December, 2008. The SHPO letter is attached in the Appendix B.

3.8 Environmental Justice

Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” mandates that federal agencies identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of programs on minority and low-income populations. According to the census conducted in 2000, Independence County has a total population of 34,233. The white population was 97.1 percent and the next highest race/ethnicity was Hispanic or Latino at 1 percent with a median family income of \$29,691. As of the census of 2000, the total population in Oil Trough was 218 people, 95 households, and 66 families residing in the town. The population density was 443.0/km² (1,139.0/mi²). There were 105 housing units at an average density of 213.4/km² (548.6/mi²). The racial makeup of the town was 93.58% White, 3.21% Black or African American, 1.38% Native American, and 1.83% from two or more races.

The median income for a household in the town was \$31,528, and the median income for a family was \$33,750. Males had a median income of \$30,500 versus \$21,250 for females. The per capita income for the town was \$14,079. About 13.3% of families and 11.0% of the population were below the poverty line, including 9.6% of those under the age of eighteen and 22.2% of those sixty five or over. (U.S. Census, 2000)

The funding of this project will not adversely affect the local populace as it will provide fire and safety support for all of the community. It will also provide a short-term economic benefit for the local population.

3.9 Traffic and Safety

Traffic and safety issues that were considered in this EA include the health and safety of area residents, the public at large and the protection of personnel involved in activities related to the implementation of the proposed project. The proposed location of the facility will have no change on safety issues as compared to reconstruction at the original site. The site will have a large parking area that is level, allowing for access in and out of the complex easily.

3.10 Hazard Material and Waste

Hazardous wastes, as defined by the Resource Conservation and Recovery Act, are defined as “a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed.”

According to the Fire Chief of Oil Trough, there are no hazardous, toxic or radioactive waste sites on or near the proposed location. In addition, a review of regulatory environmental databases was conducted via the Internet. The following is a list of the federal and state databases reviewed for this project: EPA, National Priorities List (NPL), EPA Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) List. The databases were searched by county of Independence and the state of Arkansas. Fourteen (14) superfund sites were identified in the state of Arkansas. There are no known sites located in Independence County. No facilities or properties in the proposed construction areas were listed on the databases reviewed.

4.0 CUMULATIVE IMPACTS

Cumulative impacts are those effects on the environment that result from the incremental effect of the action when added to past, present and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time. There are no other known projects that, when added to the proposed action, have a cumulative impact on the human environment.

5.0 PUBLIC PARTICIPATION

The public will be invited to comment on the proposed action. A legal notice will be posted in the local newspaper, the *Batesville Guard*, and this Draft EA will be made available for review at the Independence County Public Library, the Independence County Courthouse and the Oil Trough City Hall for a 15-day period.

6.0 AGENCIES CONSULTED

State Historic Preservation Office, Natural Heritage Commission Little Rock, AR
City of Oil Trough, Fire Chief
Arkansas Department of Environmental Quality

7.0 CONCLUSION

Based on the findings of this Environmental Assessment, FEMA concludes that the proposed construction of a fire station in the city of Oil Trough would result in no significant environmental impacts to the human or natural environment; therefore, the proposed action meets the requirements of a Finding of No Significant Impact (FONSI) under NEPA and the preparation of an Environmental Impact Statement (EIS) will not be required.

Below is a matrix summarizing the applicable laws and regulations affected by this proposed action.

RESOURCES	LAWS/REGS	FINDINGS
Geology, seismicity and soils	Seismic Safety of Federal and Federally Assisted or Regulated Building Construction, Farmland Protection Act	Minimal Impact
Surface Water and Groundwater	Clean Water Act	No Impact
Wetlands	Executive Order 11990	No Impact
Floodplains	Executive Order 11988	No Impact
Air Quality	Clean Air Act	Temporary Impact
Noise	Occupational Health and Safety Act	Minimal Impact
Threatened/Endangered Species	Endangered Species Act	No Impact
Cultural Resources	National Historic Preservation Act	No Impact
Environmental Justice	Executive Order 12898	No Impact
Traffic and Safety	Occupational Health and Safety Act	No Impact
Hazardous Materials	Resource Conservation and Recovery Act	Minimal Impact

8.0 REFERENCES

Environmental Protection Agency Superfund Sites.

<http://www.epa.gov/earth1r6/6sf/6sf-ar.htm>

Environmental Protection Agency, Air Quality Standards

<http://www.epa.gov/ozonedesignations/regions/region6desig.htm>

Environmental Protection Agency National Priorities List

<http://www.epa.gov/superfund/sites/npl/ar.htm>

Google Earth

www.googleearth.com

National Wetland Inventory, U.S. Fish and Wildlife Service

http://wetlandsfws.er.usgs.gov/imf/imf.jsp?site=NWI_CONUS

U.S. Department of Agriculture, Plant List Database

http://www.usda.gov/wps/portal/!ut/p/s.7_0_A/7_0_1OB?navtype=SU&navid=AGRICULTURE

U.S. Geological Survey, National Seismic Hazards Map

<http://gldims.cr.usgs.gov/nshmp2008/viewer.htm>

Web Soil Survey, Natural Resource Conservation Service

<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

9.0 LIST OF PREPARERS

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Federal Emergency Management Agency
PUBLIC NOTICE

Notice of Availability of the Draft Environmental Assessment
City of Oil Trough Relocation of Fire Station
Independence County, Arkansas
FEMA-1751-DR-AR.

The City of Oil Trough, Independence County, Arkansas has applied to the Federal Emergency Management Agency (FEMA) for assistance with the relocation and construction of a new fire station to replace the original station which was destroyed by severe flooding occurred on or around 18 March, 2008. The improved structure would be relocated to 100 Main Street, less than one mile from the original structure. In accordance with the National Environmental Policy Act of 1969, the Council for Environmental Quality (CEQ) regulations implementing NEPA (40 CFR Parts 1500-1508), the National Historic Preservation Act, and the implementing regulations of FEMA (44 CFR Part 9 and 10), an Environmental Assessment (EA) is being prepared to assess the potential impacts of the proposed action on the human and natural environment.

The EA evaluates alternatives for compliance with applicable environmental laws. The alternatives to be evaluated include (1) No Action, (2) Reconstruction at the original site and (3) The Proposed Action, the construction of fire station at new location.

The draft Environmental Assessment is available for review between 30 January, 2009 and 15 February, 2009, at the Independence County Library located Batesville, Arkansas, the Independence County Courthouse at 192 E. Main St, Batesville, Arkansas and the City Hall in Oil Trough, Arkansas.

The comment period will end 15 days from the initial notice publication date of 15 February, 2009. Written comments regarding this proposed project can be mailed to the contact below. If no substantive comments are received the Draft EA will become final and a Finding of No Significant Impact (FONSI) will be issued for the project. Substantive comments will be addressed as appropriate in the final documents.

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