

Draft Environmental Assessment

Fire Station

LaBelle-Fannett Volunteer Fire Department

LaBelle, Texas

FEMA-1791-DR-TX

March 2009



FEMA

U.S. Department of Homeland Security
800 North Loop 288
Denton, TX 76209

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LIST OF ACRONYMS

CFR	Code of Federal Regulations
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impacts
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetland Inventory
RCRA	Resource Conservation and Recovery Act
TCEQ	Texas Commission on Environmental Quality
THC	Texas Historical Commission
TPDES	Texas Pollutant Discharge Elimination System
TPWD	Texas Parks and Wildlife Department
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
VFD	Volunteer Fire Department

1.0 INTRODUCTION

1.1 Project Authority

On September 13, 2008, President Bush declared a major disaster as a result of damage due to Hurricane Ike (FEMA-1791-DR-TX). As a direct result of Hurricane Ike's storm surge striking the community of LaBelle, severe flooding occurred which caused damages to several structures located in the town including the LaBelle-Fannett's Volunteer Fire Department (VFD) Station, which was damaged beyond repair. The Federal Emergency Management Agency (FEMA) is considering funding a project for the relocation and construction of a new fire station for the LaBelle-Fannett VFD.

In accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 93-288, as amended, and implementing regulations at 44 Code of Federal Regulations (CFR) Part 206, FEMA is required to review the environmental effects of the proposed action prior to making a funding decision. In accordance with 44 CFR, Part 10, FEMA has prepared this Environmental Assessment (EA) to meet the requirements of Section 102 of the National Environmental Policy Act of 1969 (NEPA). The purpose of this EA is to analyze the alternatives and assess the potential environmental impacts associated with the proposed construction of a structure to house the LaBelle-Fannett's VFD Station.

1.2 Project Location

The new site for the proposed fire station is located at 12911 FM 365 in LaBelle, Jefferson County, Texas. The 3.5-acre site is east of LaBelle Road and fronts 100 ft of FM 365 (see *Figure 1*).

2.0 PURPOSE AND NEED

LaBelle-Fannett's VFD provides fire and rescue emergency response services to a population of approximately 7,000 people in an area encompassing approximately 230 square miles in central Jefferson County. As a direct result of flooding from Hurricane Ike, the LaBelle-Fannett's VFD station located in the 3473rd block of Pine Tree Lodge Road in LaBelle, Texas was severely damaged beyond repair. The purpose of the proposed action is to relocate and construct a new fire station so that the LaBelle-Fannett VFD can return to its pre-disaster function and continue to provide effective emergency response services. The previous fire station sustained severe flood damage by both Hurricane Ike and Hurricane Rita. The previous fire station was located in the 100 year floodplain. The proposed new location would be located in an area outside of the base floodplain, have greater access to major streets and highways, and would allow the VFD to use the station for an emergency shelter during the next flooding event.

3.0 ALTERNATIVES

3.1 No Action

The No Action alternative would entail no construction of a new fire station for the LaBelle-Fannett's VFD. Consequently, the citizens living within the LaBelle-Fannett's VFD district would be without an adequate facility for which to provide sufficient emergency services. Currently, the volunteer fire department is using temporary facilities to store the equipment.



Source: Texas Natural Resources Information System 2008

Latitude 29.87857
 Longitude -94.16026

Legend
 Project Site

Figure 1
 Location Map
 LaBelle-Fannett Volunteer Fire Department
 LaBelle, Texas



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3.2 Proposed Action

LaBelle-Fannett's VFD has prepared and submitted an application for FEMA funding under FEMA's Public Assistance Program being administered in response to FEMA-1791-DR-TX. The proposed action is to construct a new fire station so that the LaBelle-Fannett's VFD station can be returned to its pre-disaster function. The proposed fire station would be located on a 3.5 acre tract with a complete facility including four apparatus bays capable of holding eight pieces of fire apparatus, administration offices, along with support areas such as a kitchen/dining area, exercise room, and toilet rooms with showers. In addition to the main building, other development would include a parking area. Construction of these facilities would consist of minor grading, construction of the building and parking areas, and installation of utilities (water, septic, electric, etc.). A copy of the proposed project site plans can be found in *Appendix A*.

3.3 Alternatives Considered but not Carried Forward

Rebuilding on the original site was considered. The original site was located within a 100 year floodplain and therefore was not selected as a feasible alternative. It will not be carried forward for further analysis within this EA. The proposed new location would be located outside of the base floodplain, have greater access to major streets and highways, and would allow the VFD to use the station for an emergency shelter during the next flooding event.

4.0 AFFECTED ENVIRONMENT AND IMPACTS

4.1 Geology and Soils

The proposed project is located in the southeastern part of Texas in the physiographic region known as the West Gulf Coastal Plain. The land surface in the region is a nearly flat depositional plain rising from sea level to about 35 feet. Jefferson County is drained by the Neches and Sabine Rivers and their tributaries, except for a small area in the southern part of the county which is drained by small streams flowing directly into Sabine Lake. Jefferson County has a warm, humid climate with precipitation averaging 60 inches annually (National Climate Data Center 2005).

The Geologic Atlas of Texas, Beaumont Sheet, indicates the subject property is underlain by Quaternary-age deposits of the Beaumont Formation. Sediments of the Beaumont Formation consist mostly of clays and mud, with some sand and silt layers. These clays have low permeability, high water-holding capacity, poor drainage, and high shrink-swell potential. The maximum thickness of the Beaumont Formation in Jefferson County is approximately 100 feet (Aronow 1975).

The soils on the site are mapped as LaBelle-Anahuac complex 0 to 1 percent slopes. The Anahuac series consists of poorly drained soils that generally form in loamy and clayey sediments. The parent material of these soils is loamy fluviomarine deposits of late Pleistocene age (USDA 1994). These soils are listed by the Natural Resources Conservation Service (NRCS) as being hydric. The NRCS defines a hydric soil as a soil that formed under conditions of saturation, flooding or ponding long enough during the growing season to develop anaerobic conditions in the upper portion of the soil profile.

The Farmland Protection Policy Act (FPPA) (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 NRCS is responsible for protecting significant agricultural 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 or high yields of specific crops when treated and managed according to acceptable farming methods. The site is mapped as LaBelle-Anahuac and Anahuac soils which are classified as prime farmland.

Alternative A – No Action: The No Action alternative would have no impacts on the soils or geology of the area.

Alternative B – Construct New Facility: Construction of a new fire station at the site would cause some disturbance soils as part of the site preparation work. Since the site is relatively flat, the grading needed at the site would be minor. Exposed soils could be subject to erosion, therefore, silt fence and/or other storm water runoff best management practices would be utilized during construction. In general, effects to geology and soils would be minor and temporary in nature.

The proposed project does contain prime farmland. The site is mapped as Labelle-Anahuac complex and Anahuac complex which are both considered prime farmland. The site is previously disturbed and in close proximity to residential land use. The proposed project would convert 3.5 acres of prime farmland into nonagricultural land. This conversion would not reduce the support for farmland remaining in the area. In compliance with FPPA, the proposed conversion was scored using the Farmland Conversion Impact Rating Form (AD-1006). The combined rating for this site was 98. The FPPA states that sites with a rating less than 160 do not need any further consideration. A coordination letter from NRCS is included in *Appendix B*.

4.2 Water Resources

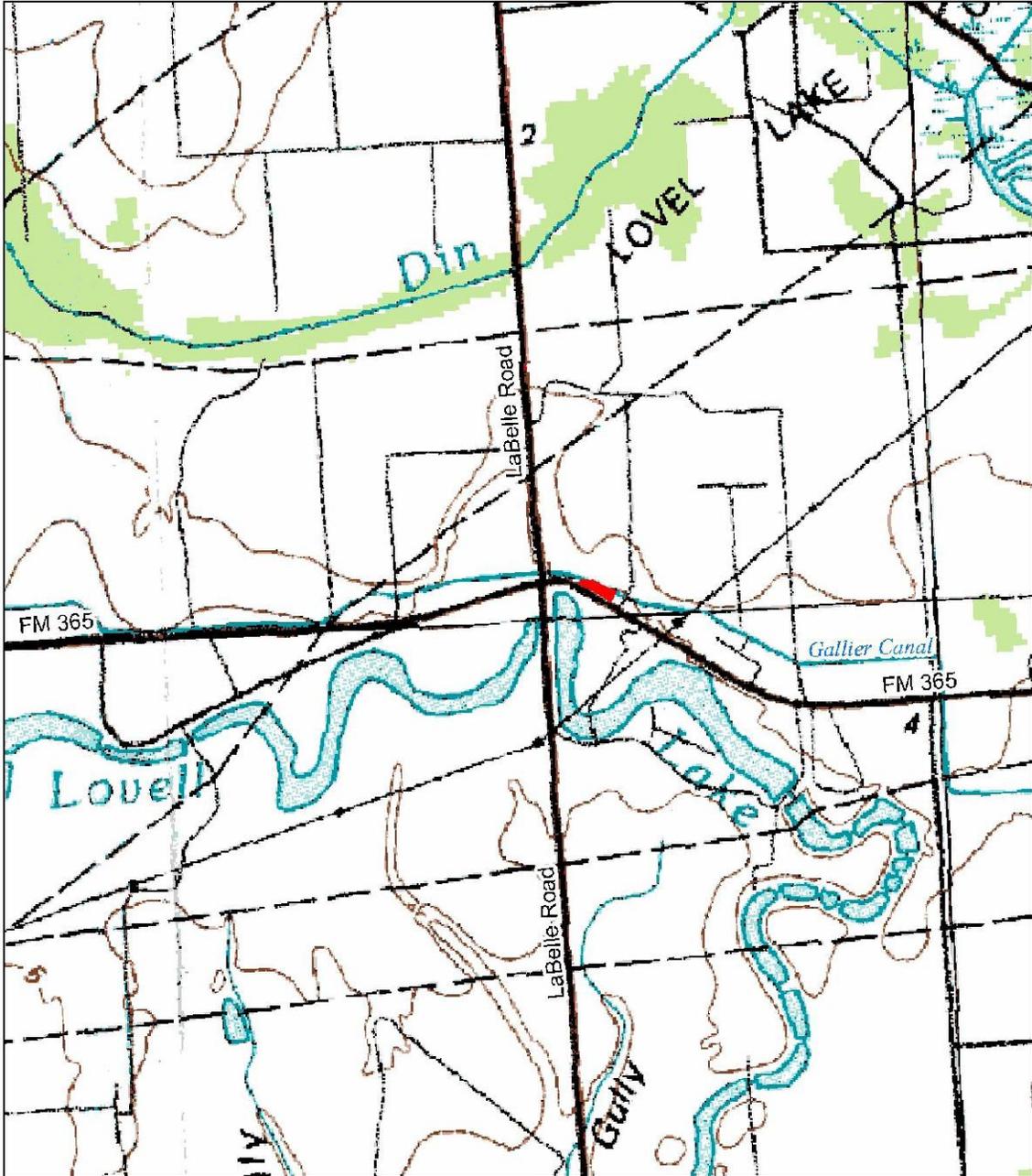
4.2.1 Surface Water

There are no rivers, creeks or other defined drainages on the project site; however the property is bordered to the north by Gallier Canal and to the southwest by Lovell Lake (see *Figure 2*). Storm water leaves the site as sheet flow and drains to Lovell Lake. Lovell Lake flows into the Taylor Bayou which then drains into Big Hill Reservoir, and eventually flows into the Gulf of Mexico. There are no wild and scenic rivers, as designated under the Wild and Scenic Rivers Act, in the project area.

Alternative A – No Action: The No Action alternative would not change the site drainage nor have an effect on the surface water quality of the area.

Alternative B – Construct New Facility: Potential impacts to surface waters associated with the construction of the proposed fire station include the potential for erosion and sedimentation during construction. Some vegetation clearing and minor grading would be needed as part of the site preparation work. During this period, storm water runoff could carry sediment offsite into receiving waters. A Storm Water Pollution Prevention Plan would be prepared and erosion and sedimentation control measures would be implemented to minimize any detrimental effects to water quality during construction.

Because the project would disturb more than one acre, a Texas Commission on Environmental Quality (TCEQ) Texas Pollutant Discharge Elimination System (TPDES) storm water permit would



Source: USGS 7.5 Topographic Quadrangle Map 1980

Legend

 Project Site

0 1,000 2,000 4,000 Feet



Figure 2
 USGS Topographic Map
 LaBelle-Fannett Volunteer Fire Department
 LaBelle, Texas

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be required. This permit would require that a copy of the Storm Water Pollution Prevention Plan is kept on the construction site and that all sediment control measures identified in this plan are maintained. Any effects to water quality associated with the construction of the new facility would be short term and minimized by use of best management practices. No long-term effects to water quality are expected as a result of the proposed project.

4.2.2 Waters of the United States (U.S.) Including Wetlands

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.

Under Section 404 of the Clean Water Act, a permit is required from the USACE for any activities involving the discharge of dredged or fill material into waters of the U.S., including wetlands and tidally influenced waters. Dependent on the scope and type of impacts to waters of the U.S., authorizations may be in one of three primary forms: general permit, a letter of permission, or a standard individual permit.

A review of the U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) map of the area was also conducted in order to identify the potential for wetlands and/or other waters of the U.S. This review indicated that there were no potential wetland areas in proximity to the property (USFWS 2009). The site was visited on December 11, 2008 by a qualified wetland scientist and an examination of the site indicated that there were potential wetlands subject to Section 404 on the property. A number of wetland indicator plant species were identified during the field investigation.

Alternative A – No Action: The No Action alternative would have no effect on wetlands or other waters of the U.S. and would not require a Section 404 permit.

Alternative B – Construct New Facility: A formal wetland delineation would be required to determine the presence or absence of waters of the U.S. at the proposed project site. Once a determination is made, the nature of the impacts would be determined along with the extent of USACE permitting requirements.

4.2.3 Floodplains

Executive Order 11988 (Floodplain Management) requires federal agencies to avoid or minimize development in the floodplain except when there are no practicable alternatives. According to the National Flood Insurance Program's Flood Insurance Rate Map (Community-Panel Number 4803850270-C), the project site is designated as Zone X and is not located within the 100-year or 500-year floodplain. Since the fire station is considered a critical facility, it must be located above the 500-year floodplain. Please see *Appendix C* for the floodplain map.

Alternative A – No Action: The No Action alternative would not result in impacts to the 100-year floodplain.

Alternative B – Construct New Facility: Since the proposed project site is not located within a designated floodplain, construction of the proposed fire station would have no impact on the floodplain and does not require a review under Executive Order 11988.

4.3 Biological Resources

4.3.1 Flora and Fauna

The project area is located in the Gulf Coast Prairies and Marshes natural region of Texas, as depicted in *Preserving Texas' Natural Heritage* (LBJ School of Public Affairs 1978). The prairies and marshes of the Texas Gulf Coast are among the richest grazing lands in the state. This region is also an excellent habitat for upland game and waterfowl and an important recreational hunting and fishing area (Hatch 1999).

The faunal communities in the Gulf Coast Prairies and Marshes natural region typically include coyote, ringtail, hog-nosed skunk, ocelot, and collared peccary. Smaller mammals include Mexican ground squirrel, Texas pocket mouse, northern pygmy mouse, and southern Plains woodrat. Birds of freshwater marshes, lakes, ponds, and rivers include reddish egret, white-faced ibis, black-billed whistling duck, white-fronted goose, and olivaceous cormorant. Reptiles and amphibians include eastern spadefoot toad, Gulf coast toad, American alligator, diamondback terrapin, spiny-tailed iguana, Texas horned lizard, Texas spotted whiptail, and indigo snake (USDA 2009). Due to the developed and highly disturbed nature of the project area there is little habitat for faunal communities within the project area.

The vegetation on the proposed project site was found to be dominated by grasses consisting of bermudagrass (*Cynodon dactylon*), silver bluestem (*Bothriochloa saccharoides*), big bluestem (*Andropogon gerardii*), splitbeard bluestem (*Andropogon ternarius*), roemer threeawn (*Aristida roemeriana*), tanglehead (*Heteropogon contortus*), Texas wintergrass (*Nassella leucotricha*). Shrubs observed on the property fence line identified as gray-winterberry holly (*Ilex verticillata*) and prickly ash (*Zanthoxylum clava-herculis*). The only tree species observed on the property was the occurrence of seven medium Chinese tallows (*Sapium sebiferum*) that varied in sizes from 10-15 inches diameter at breast height (dbh). Photographs of the vegetation observed on the proposed project site can be found in *Appendix D*.

4.3.2 Threatened and Endangered Species

As shown in *Table 1*, the USFWS lists three species in Jefferson County as being endangered (USFWS 2008). These species are the Atlantic Hawksbill sea turtle (*Eretmochelys imbricata*), Kemp's Ridely sea turtle (*Lepidochelys kempii*), and the leatherback sea turtle (*Dermochelys coriacea*). The USFWS lists three species as being threatened, the green sea turtle (*Chelonia mydas*), loggerhead sea turtle (*Caretta caretta*), and the piping plover (*Charadrius melodus*).

The Endangered Species Act (ESA) of 1973 provides for the protection of all listed threatened and endangered species from take as defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." Harm is further defined by the USFWS to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering. Harass is defined by USFWS as actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding or sheltering.

**Table 1
Federal Listed Threatened/ Endangered Species in Jefferson County**

Species	Status	Comments
Bald Eagle	Delisted/Recovered	migratory/ transient Species
Green Sea Turtle	Threatened	no habitat present on site
Atlantic Hawksbill Sea Turtle	Endangered	no habitat present on site
Kemp's Ridley Sea Turtle	Endangered	no habitat present on site
Leatherback Sea Turtle	Endangered	no habitat present on site
Loggerhead Sea Turtle	Threatened	no habitat present on site
Piping Plover	Threatened	migratory/ transient Species

Source: USFWS 2008

The following descriptions and status report for each species is based on information provided by the USFWS, Texas Parks and Wildlife Department (TPWD), and the National Parks Service.

Listed as threatened in 1995, the bald eagle is the second largest North American bird of prey with an average seven foot wingspan. Its white head and tail offset against its dark brown body and wings. They prefer fish but are opportunistic feeders. The range of the bald eagle includes all of the conterminous U. S, and Alaska and is especially common in areas with large expanses of aquatic habitat. Effective August 8, 2007, the bald eagle was delisted from the USFWS list of threatened and endangered species. The bird will still be protected by the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. Both laws prohibit killing, selling or otherwise harming eagles, their nests, or eggs. Breeding occurs primarily in the eastern third of Texas, and wintering occurs wherever open water exists.

Five threatened/endangered species of sea turtles are found in Gulf of Mexico and nest on Texas beaches. The three sea turtle species that were listed as endangered in 1970 are the Atlantic Hawksbill, the Kemp's Ridley, and the leatherback sea turtle. The two sea turtle species that were listed as threatened in 1978 are the green sea turtle and the loggerhead sea turtle. These sea turtles range in size from 2 feet up to six feet in length and weight can range from 75 to over 1,000 pounds. The turtles are found in the Gulf of Mexico and during nesting season along the Texas coast. The turtle nesting season is from April 1 through October 15.

Listed as threatened in 1985, the piping plover is a small, stocky, sandy-colored bird with orange legs resembling the sandpiper. The piping plover blends well into the pale background of open, sandy habitat on outer beaches where it feeds and nests. The piping plover migrates annually between its breeding and wintering grounds. The plover inhabits its breeding grounds from March to August and its wintering grounds from September to April.

Alternative A - No Action: The No-Action alternative would have no effect on threatened and endangered species.

Alternative B – Construct New Facility: The site visit conducted on December 11, 2008 did not indicate the presence of habitat suitable for the endangered or threatened species listed in Jefferson County. The vegetation on site was consistent with mixed upland communities in the gulf coastal prairies region. The single tree species observed at the site was the invasive Chinese tallow. Immediately adjacent to the property is a residential home to the east and a man-made canal to the north with a small industrial gravel pit to the southwest. As seen in *Figure 2*, the remaining adjacent

lands are previously disturbed lots. See photos in *Appendix D*. The proposed project would have no effect on threatened and endangered species.

4.4 Air Quality

The Clean Air Act requires that states adopt ambient air quality standards. The standards have been established in order to protect the public from potentially harmful amounts of pollutants. The U.S. Environmental Protection Agency (EPA) has established National Ambient Air Quality Standards (NAAQS) for six air pollutants. These pollutants include sulfur dioxide (SO₂), particulate matter with a diameter less than or equal to ten micrometers (PM₁₀), carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), and lead. The EPA has designated specific areas as NAAQS attainment or non-attainment areas. Non-attainment areas are any areas that do not meet (or that contribute to ambient air quality in a nearby area that does not meet) the quality standard for a pollutant. Attainment areas are any areas that meet ambient air quality standards. According to the TCEQ, Jefferson County is part of the Beaumont-Port Arthur (BPA) non-attainment region which is currently classified as moderate for the 8-hour ground level ozone standard. The deadline set for achieving attainment for 8-hour ground level ozone levels has been set June 15, 2010 (TCEQ 2009).

Alternative A – No Action: The No Action alternative would have no effect on air quality.

Alternative B – Construct New Facility: Pollutant emissions from construction equipment may result in minor temporary effects to air quality in the area immediately surrounding the proposed construction activity. Vehicular exhaust emissions would be produced by the operation of diesel engines and other construction equipment. These effects would be localized and of short duration.

4.5 Transportation

The proposed project site is located at 12911 FM 365, east of IH-10 in Labelle, Texas. The 3.5 acre rectangular site is located east of LaBelle Road and fronts 100 ft of FM 365. FM 365 is a rural two lane highway that runs in an east/west direction connecting LaBelle to Port Neches.

Alternative A – No Action: The No Action alternative would have no effect on transportation in the area.

Alternative B – Construct New Facility: Construction of the proposed fire station at the proposed location may have a small effect on transportation by increasing the number of vehicles on FM 365. The increase would be expected to be minor and would be due to staff traveling to and from the fire station, and emergency response vehicles leaving and arriving the fire station. TxDOT would install traffic safety devices consisting of either flashing advanced warning signs or a flashing beacon that would be visible by cars approaching the proposed fire station in each direction. In addition the applicant will be required to obtain a permit from TxDOT to construct access driveway facilities on highway right-of-way and to comply with all of the requirements of that permit.

4.6 Noise

Noise is generally defined as unwanted sound. The closest noise receivers to the proposed project site would be a few rural residences located just east of the site and a residential neighborhood northeast of the site along Ridgecrest Drive. Noise levels within and adjacent to the project area would increase during the proposed construction activities as a result of construction equipment and vehicular traffic. The noise levels generated would be limited to workday daylight hours for the

duration of the construction work. There are no local noise ordinances that would apply to the proposed project.

Alternative A – No Action: The No Action alternative would not result in impacts to noise receivers in the area.

Alternative B – Construct New Facility: Construction of the proposed fire station would result in a slight increase in noise during the construction of the facility. The increase in noise is expected to be minor and would not affect any sensitive noise receivers. During operation of the facility, sirens operated by emergency response vehicles could have minor impacts to adjacent property residents depending on the frequency and timing of emergency responses.

4.7 Cultural Resources

Section 106 of the National Historic Preservation Act of 1966, as amended requires federal agencies “to take into account” the “effect” that an undertaking would have on “historic properties”. Historic properties are those included in or eligible for inclusion in the National Register of Historic Places (NRHP) and may include archeological sites, buildings, structures, sites, objects, and districts. In accordance with the Advisory Council on Historic Places regulations pertaining to the protection of historic properties (36 CFR 800.4), federal agencies are required to identify and evaluate historic-age resources for NRHP eligibility and assess the effects that the undertaking would have on historic properties.

A search of the Texas Historic Sites Atlas found no listings of National Register properties on or adjacent to the project site. A search of the NRHP Register for Places, Districts, and Historical Markers, found no listings within a half-mile of the project site. Coordination with the Texas Historical Commission was initiated to provide information regarding potential archeological properties and National Register eligibility.

Alternative A – No Action: The No Action alternative would have no effect on cultural resources in the area.

Alternative B – Construct New Facility: The Texas Historical Commission was contacted by letter regarding the potential for archeological or historic resources to be impacted by the proposed project. According to the THC, construction of the new facility at the proposed location would not affect any known archeological or historic resources in the area (letter attached in *Appendix B*). Should any historic or archaeological materials be discovered during construction, all activities on the site would be halted immediately and the contractor and/or Labelle-Fannett VFD would contact the THC for further guidance.

4.8 Socioeconomic Resources

The proposed new facility is located in Labelle, Texas which is in Census Tract 113.01. In 1999, Census Tract 113.01 had a population of 9,378 and Jefferson County had a population of 252,051 (USCB 2000). According to Fire Chief Charles Sonnier, the primary industries in LaBelle, Texas are agriculture, manufacturing, and construction (Labelle-Fannett VFD 2008). The median household income in Census Tract 113.01 is \$47,255 and \$34,706 in Jefferson County (USCB 2000). According to *Census 2000*, 81 percent of the population in Census Tract 113.01 is white; 21 percent is Hispanic or Latino; 16 percent black or African American; 1 percent Asian; 1 percent two or more races; and 1 percent some other race. In Jefferson County 57 percent of the population is white; 34

percent is black or African American 21 percent is Hispanic or Latino; 1 percent Asian; 1 percent two or more races; and 1 percent some other race (USCB 2000).

Alternative A – No Action: The No Action alternative could have a negative effect on socioeconomic conditions in the area. Threats to life and health would occur as county emergency response operations are hindered by an inadequate emergency response facility, or lack thereof.

Alternative B – Construct New Facility: The Labelle-Fannett VFD service area covers approximately 230 square miles and encompasses central Jefferson County and includes the community of Labelle. Construction of the proposed new fire station would provide the community within its service area the emergency response services necessary to protect and reduce the losses to life and property; promote the health, safety, and well being of the citizens of the community; and to reduce damage to the environment due to fires, hazardous materials, natural disasters, and other emergencies caused by acts of man and nature. This would allow Labelle-Fannett VFD to operate more efficiently and provide a higher level of service to the community.

4.9 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. This Executive Order also tasks federal agencies with ensuring that public notifications regarding environmental issues are concise, understandable, and readily accessible. Socioeconomic and demographic data were studied to determine if a disproportionate number of minority or low-income persons have the potential to be adversely affected by the proposed project.

Alternative A – No Action: The No Action alternative would not have disproportionate impacts on minority or low-income populations.

Alternative B – Construct New Facility: The Labelle-Fannett VFD service area covers approximately 230 square miles, encompasses central Jefferson County, and includes the community of Labelle. The proposed action is not expected to have adverse or disproportionate impacts on minority or low-income populations. The benefits of a new fire station are expected to be proportional to all residents in Jefferson County.

4.10 Safety

Safety and security issues that were considered in this environmental assessment 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.

Alternative A – No Action: The No Action alternative could have a negative effect on the general safety of the residents of Jefferson County. The lack of an adequate emergency response facility would hinder emergency response operations in the community of Labelle and the surrounding communities. The current fire station is completely destroyed as a result of Hurricane Ike and was located in the floodplain.

Alternative B – Construct New Facility: Construction of the new fire station would allow the Labelle-Fannett VFD to improve their emergency response operations. The proposed new location

would be outside of the floodplain. Construction of the new facility would provide faster emergency response times to calls due to the proposed project's improved access to major streets and highways. These operations are critical to the health and safety of residents throughout Labelle, Texas and the surrounding service area which is approximately 230 square miles in size and encompasses central Jefferson County.

4.11 Hazardous Materials

Hazardous wastes, as defined by the Resource Conservation and Recovery Act (RCRA), 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."

Hazardous materials and wastes are regulated in Texas by a combination of federal laws and state laws. Federal regulations governing the assessment and disposal of hazardous wastes include RCRA, the RCRA Hazardous and Solid Waste Amendments, Comprehensive Environmental Response, Compensation and Liability Act, Solid Waste Act, and Toxic Substances Control Act.

Visual observation of the project area did not reveal obvious existing or potential hazardous materials, substances, or conditions. No drums or other sources of potential hazardous materials were observed in the project area. According to the NFIP's Flood Insurance Rate Map (Community-Panel Number 4803850270-C revised August 6, 2002), there is a pipeline located in the northern portion of the project site (see *Appendix C*). However, no indications of pipelines crossing the project site were noted during the field survey, furthermore neither the USGS topographic map (see *Figure 2*) nor the Texas Railroad Commission's public GIS viewer depict a pipeline located on the project site. There is a power line that runs parallel to the site with overhead electrical transformers that could possibly contain polychlorinated biphenyls; however, the power line would not be disturbed by construction of the new facility. There is also a cable line running underneath the ground parallel to the property that would not be affected by construction activities associated this project.

The following is a list of the federal and state databases reviewed for this project: EPA, National Priorities List, EPA Comprehensive Environmental Response, Compensation and Liability Information System List, EPA Resource Conservation and Recovery Information System List, TCEQ Superfund Registry, TCEQ Leaking Petroleum Storage Tank List, and TCEQ Petroleum Storage Tank List. The databases were searched by zip code, county, and street name. No facilities or properties in the project area were listed on the databases reviewed.

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

Alternative B – Construct New Facility: Construction of the new fire station would not disturb any known hazardous materials or create any potential hazard to human health. If hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination would be initiated in accordance with applicable federal, state, and local regulations. The contractor would take appropriate measures to prevent, minimize, and control the spill of hazardous materials in the construction staging area.

5.0 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.

According to LaBelle-Fannett's Fire Chief, there are no known projects planned within the vicinity of the proposed project (LaBelle-Fannett VFD 2008). There are no other known projects that, when added to the planned apartment complex and the proposed new fire station, have a cumulative impact on the human environment. The construction of proposed fire station would have little or no cumulative impact on the surrounding community and environment.

6.0 PUBLIC INVOLVEMENT

The public was invited to comment on the proposed action and the Draft Environmental Assessment. A legal notice was posted in the Hometown Press on March 11, 2009, and on FEMA's website (<http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>). Additionally, the Draft Environmental Assessment was made available for review for a period of 30 days at the Beaumont Public Library. A copy of the notice is attached in *Appendix E*.

7.0 AGENCY COORDINATION AND PERMITS

As part of the development of this Environmental Assessment federal and state resource protection agencies were contacted. Because the project would disturb more than one acre, a TCEQ TPDES storm water permit would be required. As discussed in *Section 4.2.2*, this project would require a formal wetland delineation. Depending on the results of this wetland delineation this project may require a Section 404 permit from the USACE. It is anticipated that no other permits or approvals would be needed from any of the other regulatory agencies; however, the following agencies have been contacted and asked to comment on the proposed project:

- Texas Historical Commission
- Natural Resources Conservation Service

Agency response letters are attached in *Appendix B*.

8.0 CONCLUSION

The findings of this Environmental Assessment conclude that the proposed construction of a new fire station for the Labelle-Fannett VFD 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.

9.0 REFERENCES

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- Federal Emergency Management Agency (FEMA). 2002. Flood Hazard Boundary Map. Jefferson County, Texas. National Flood Insurance Program, Panel Number 4803850270C. August 6, 2002.
- Hatch, S. L., J. L. Schuster and D. L. Drawe. 1999. Grasses of the Texas Gulf Prairies and Marshes. Texas A&M University Press.
- LaBelle-Fannett Volunteer Fire Department. 2008. Personal Communication with Fire Chief Charles Sonnier, December 13, 2008.
- Lyndon B. Johnson School of Public Affairs. 1978. Preserving Texas Natural Heritage. Natural Research Project Report No. 31, University of Texas at Austin.
- National Climatic Data Center. 2005. National Weather Service Forecast Office. National Oceanic and Atmospheric Administration. <http://www.srh.noaa.gov/lch/climate/coop/KBPT.htm> (viewed in December 9, 2008).
- Texas Commission on Environmental Quality (TCEQ). 2009. Texas Attainment Status by Region. www.tceq.state.tx.us/implementation/air/sip/siptexas.html. (viewed in February 2009).
- U.S. Census Bureau (USCB). 2000. American FactFinder. Jefferson County, TX. <http://factfinder.census.gov>. (viewed in January 2009).
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- U.S. Department of Agriculture (USDA), U.S. Forest Service. 2009. Ecological Sub-regions of the United States. <http://www.fs.fed.us/land/pubs/ecoregions/toc.html> (viewed in January 2009).
- U.S. Fish and Wildlife Service (USFWS), National Wetland Inventory (NWI) Map. 2009. Last Updated February 9, 2009.
- U.S. Fish and Wildlife Service (USFWS). 2008. Jefferson County Endangered Species List. <http://www.fws.gov/southwest/es/EndangeredSpecies/lists/ListSpecies.cfm> (viewed in December 2008).

10.0 LIST OF PREPARERS

Government Contributors:

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Project Manager

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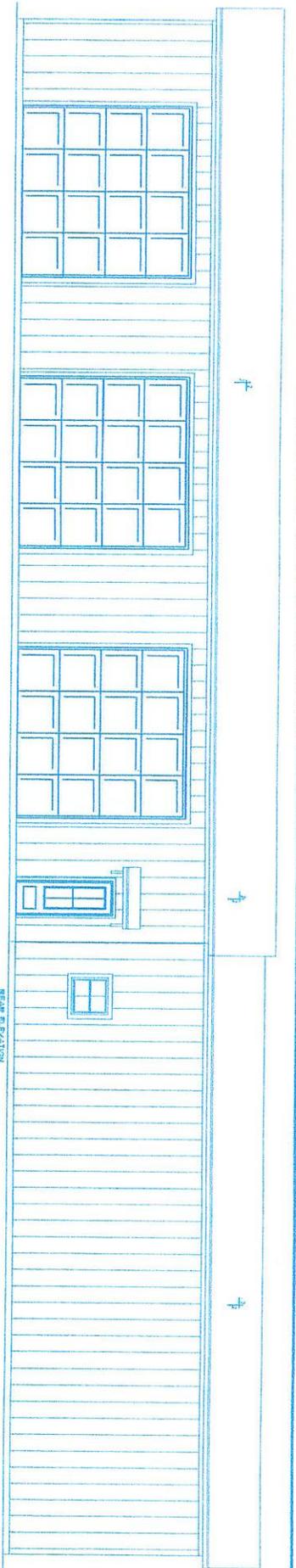
Principal Investigators

Kate Turner, AECOM, Austin, Texas

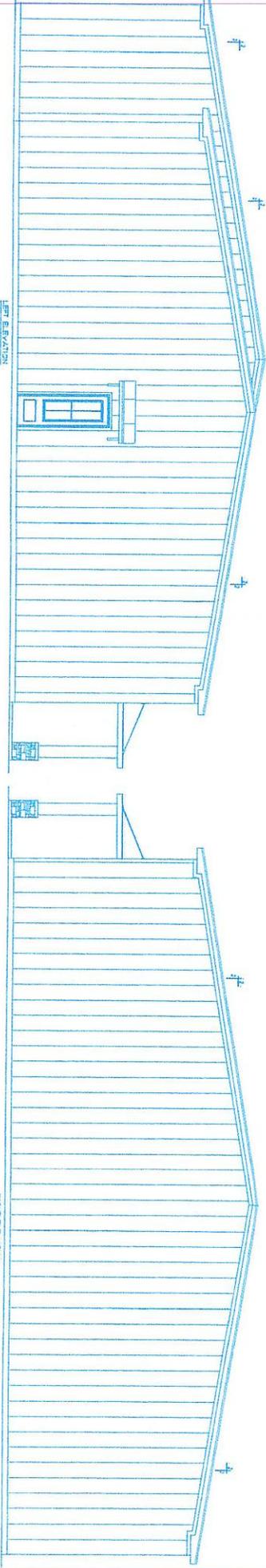
Tricia Bruck, AECOM, Austin, Texas

APPENDICES

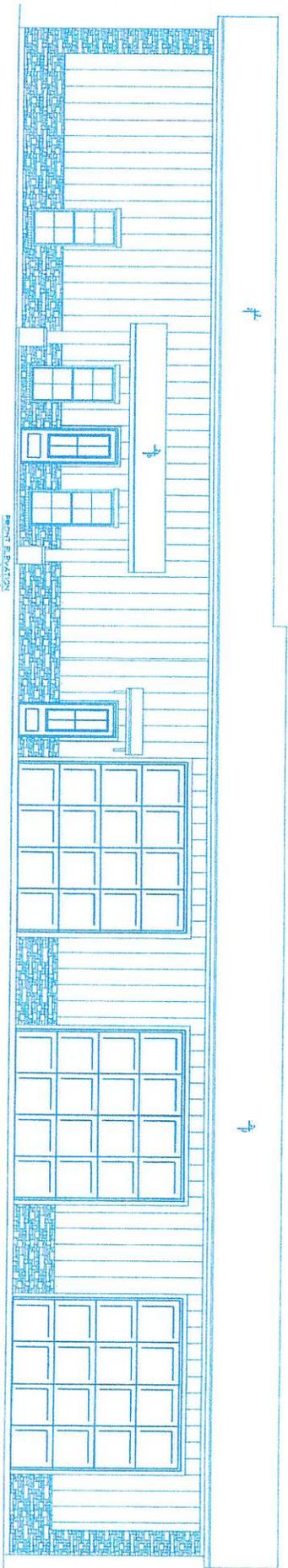
APPENDIX A SITE PLANS



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

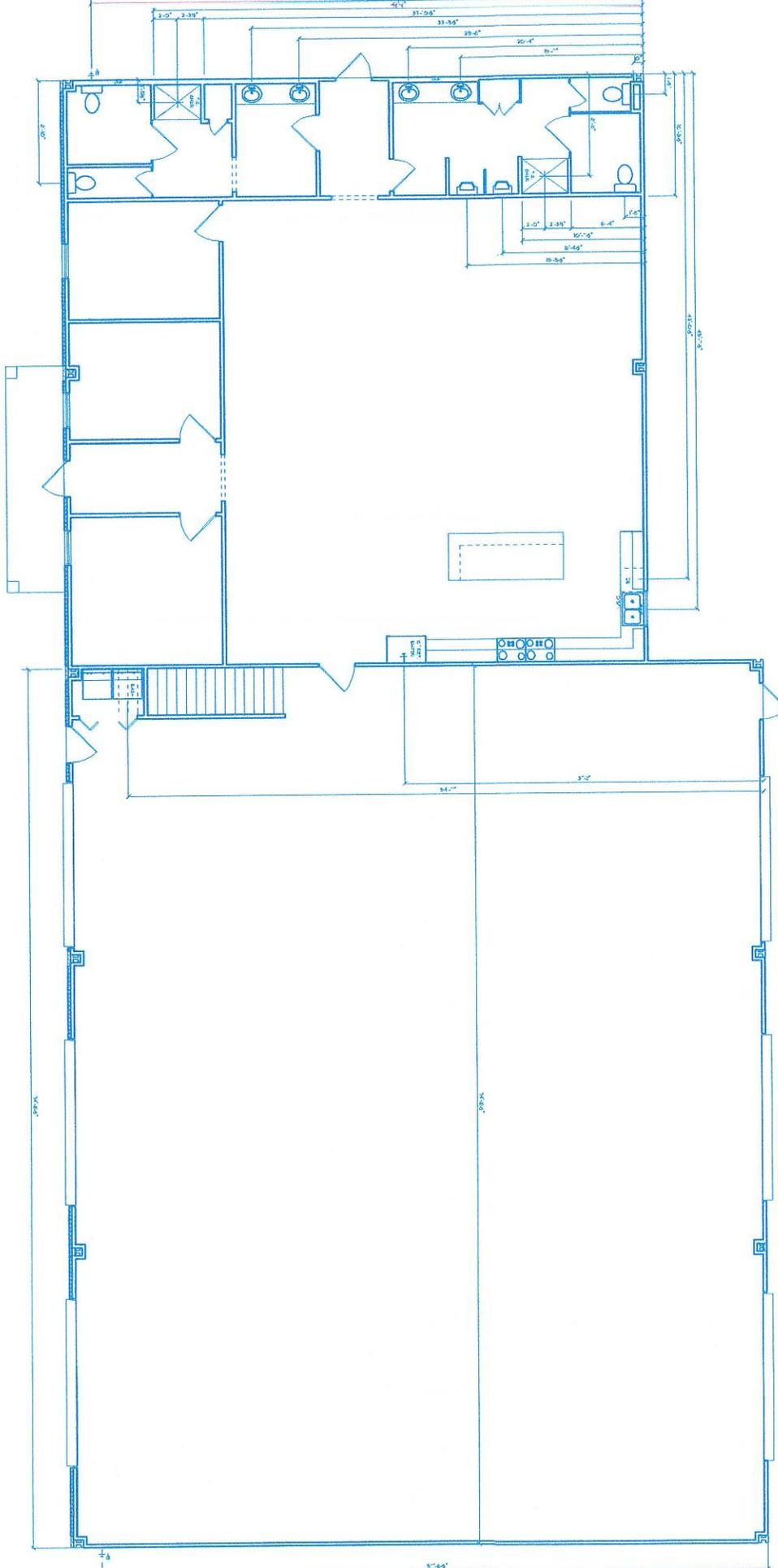


REAR ELEVATION
SCALE: 1/4" = 1'-0"



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

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BUILDING PLAN
Scale: 1/8" = 1'-0"

<p>THIS IS A CONCEPT PLAN. IT IS NOT TO BE USED FOR PERMITS OR CONTRACTS. IT IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY ARISING FROM THE USE OF THIS PLAN.</p>	<p>01-01-03 PAGE: 4</p>
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APPENDIX B AGENCY CORRESPONDENCE

United States Department of Agriculture



Natural Resources Conservation Service

101 S. Main Street
Temple, TX 76501-6624
Phone: 254-742-9826
FAX: 254-742-9859

February 19, 2009

AECOM
400 West 15th Street, Suite 500
Austin, TX 78701

Attention: Kate Turner, Environmental Specialist

Subject: LNU--Farmland Protection
LaBelle-Fannett Volunteer Fire Department Relocation and
Construction
Jefferson County, Texas

We have reviewed the information provided concerning the proposed LaBelle-Fannett Volunteer Fire Department Relocation and Construction in Jefferson County, Texas, outlined in your letter dated February 17, 2009. This review is part of the National Environmental Policy Act (NEPA) evaluation for FEMA. We have evaluated the proposed site as required by the Farmland Protection Policy Act (FPPA).

There are Important Farmland Soils in the project area. We have completed Parts II, IV, and V of the Farmland Conversion impact Rating form (AD-1006). The combined rating of the site is 98. The FPPA states that sites with a rating less than 160 will need no further consideration.

The completed Ad-1006 form for this project is also attached. Thank you for the resource materials you provided. If you have questions, please contact me at 254-742-9826.

Sincerely,

A handwritten signature in cursive script that reads "Micki Yoder".

Micki Yoder
State resources Inventory Specialist
Temple, Texas

Attachments

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request 2/18/09			
Name of Project LaBelle-Fannett Volunteer Fire Station EA		Federal Agency Involved FEMA			
Proposed Land Use New Facility-Fire Station		County and State Jefferson County, TX			
PART II (To be completed by NRCS)		Date Request Received By NRCS 2/19/09			
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated 16,896	Average Farm Size 420
Major Crop(s) common burmudagrass	Farmable Land In Govt. Jurisdiction Acres: 401,625 % 69	Amount of Farmland As Defined in FPPA Acres: 312,695 %54			
Name of Land Evaluation System Used LESA	Name of State or Local Site Assessment System N/A	Date Land Evaluation Returned by NRCS 2/20/09			
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly		2.0			
B. Total Acres To Be Converted Indirectly		1.5			
C. Total Acres In Site		3.5			
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland		2.9			
B. Total Acres Statewide Important or Local Important Farmland		0			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		<.0001			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		52			
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)		64			
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		4(15)			
2. Perimeter In Non-urban Use		5(10)			
3. Percent Of Site Being Farmed		0(20)			
4. Protection Provided By State and Local Government		0(20)			
5. Distance From Urban Built-up Area		0(15)			
6. Distance To Urban Support Services		0(15)			
7. Size Of Present Farm Unit Compared To Average		0(10)			
8. Creation Of Non-farmable Farmland		0(10)			
9. Availability Of Farm Support Services		10(5)			
10. On-Farm Investments		3(20)			
11. Effects Of Conversion On Farm Support Services		2(10)			
12. Compatibility With Existing Agricultural Use		10(10)			
TOTAL SITE ASSESSMENT POINTS		160	64		
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	64		
Total Site Assessment (From Part VI above or local site assessment)		160	34		
TOTAL POINTS (Total of above 2 lines)		260	98		
Site Selected:		Date Of Selection		Was A Local Site Assessment Used?	
				YES <input type="checkbox"/> NO <input type="checkbox"/>	
Reason For Selection:					
Name of Federal agency representative completing this form:				Date:	

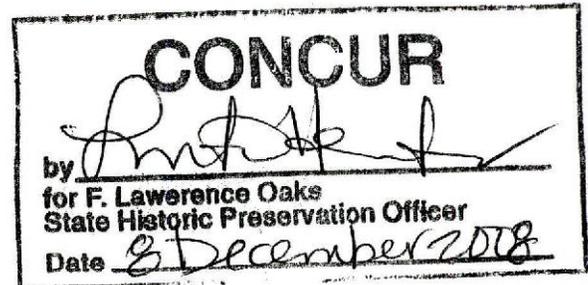
U.S. Department of Homeland Security
Federal Emergency Management Agency
FEMA-1791-DR-LA
Austin Joint Field Office
6001 Airport Blvd., Suite 200
Austin, Texas 78752



FEMA

December 3, 2008

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



RE: **Section 106 Review Consultation**, FEMA-1791-DR-TX, Hurricane Ike
Project: Improved Project - Proposed replacement of a critical facility at a new site located outside the 100 year Floodplain.
Damaged Facility: LaBelle Fannett VFD #1
Applicant: LaBelle Fannett VFD
Address: Parcel on Hwy 365 east of Fannett Rd, Beaumont, Jefferson County, TX
Latitudes/Longitudes:
NE Corner: 29.91874, -94.15868
NW Corner: 29.91916, -94.15958
SW Corner: 29.91876, -94.15983
SE Corner: 29.91828, -94.15901

Dear Mr. Oaks:

The Federal Emergency Management Agency (FEMA) will be providing funds authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, in response to the major Disaster Declaration for FEMA-1791-DR-TX, dated September 7, 2008, as amended. FEMA is initiating Section 106 review for the above referenced property in accordance with the Programmatic Agreement between FEMA, the Texas Historical Commission (SHPO), and the Governor's Division of Emergency Preparedness (GDEM) dated August 30, 2005.

Proposed Scope of Work

As a result of Hurricane Ike, the LaBelle Fannett Volunteer Fire Department (VFD) #1 building sustained substantial damage rendering the structure greater than 50 % destroyed. The building was determined a Threat to Public Health and Safety, requiring Emergency Demolition. FEMA previously submitted a Section 106 Consultation Letter to SHPO pertaining to the demolition on October 20, 2008, and received SHPO Concurrence by e-mail on October 21, 2008. The Applicant is eligible for a replacement facility. Because the demolished building's property site is located in the 100 year floodplain, the Applicant is seeking federal funding to purchase a new parcel of land outside the floodplain for construction of their new critical facility. It is proposed that federal

funding through FEMA's Public Assistance program be provided to the Jefferson County LaBelle Fannett VFD for purchase of the land and construction of the new facility.

Area of Potential Effect

Because no structures greater than 45 years old on, within view of the proposed site for the new facility, FEMA has determined the *Area of Potential Effect* (APE) is limited to the area within the boundary lines of the above stated parcel.

Results of Research

National Register of Historic Places (NRHP) database review of the proposed new site area indicated there are no nearby properties listed on the NRHP individually, as part of a designated historic district, or as a National Historic Landmark. In addition, no neighboring historical properties are identified in the Texas Historical Commission Atlas database. The proposed parcel is a pre-disturbed field as a result of farming throughout the years. Upon visual inspection of the property, there were no cultural resources, archaeological or architectural, located within the APE.

Determination of Eligibility

Based on research and a site visit to the proposed new site by a Secretary of Interior qualified Archaeologist and Architect, it has been determined that no structures, historic or non-historic, were located within the APE of the undertaking; therefore, the proposed site for the construction of the new LaBelle Fannette VFD critical facility is *Not Eligible* for listing on the NRHP under Criterion A-C. Likewise, pedestrian survey of the pre-disturbed farmland indicated a low probability for the presence of archaeological resources under Criterion D.

Findings of Effect

Based on the above stated *Determination of Eligibility* findings, FEMA has concluded that there will be *No Historic Properties Affected* under Criteria A-C, and little or no potential to affect cultural resources under Criterion D as a result of the purchase of the property and subsequent construction activities.

The Applicant is anxious to secure the recently found property for the replacement facility while still available. Because of this fact, any assistance SHPO can render the Applicant by responding as soon as practicable will be greatly appreciated. As always, thank you for your valued assistance in these matters of mutual interest.

Should you need additional information please contact Mary Myers, Environmental Historic Specialist, at (202) 431-8697.

Sincerely,

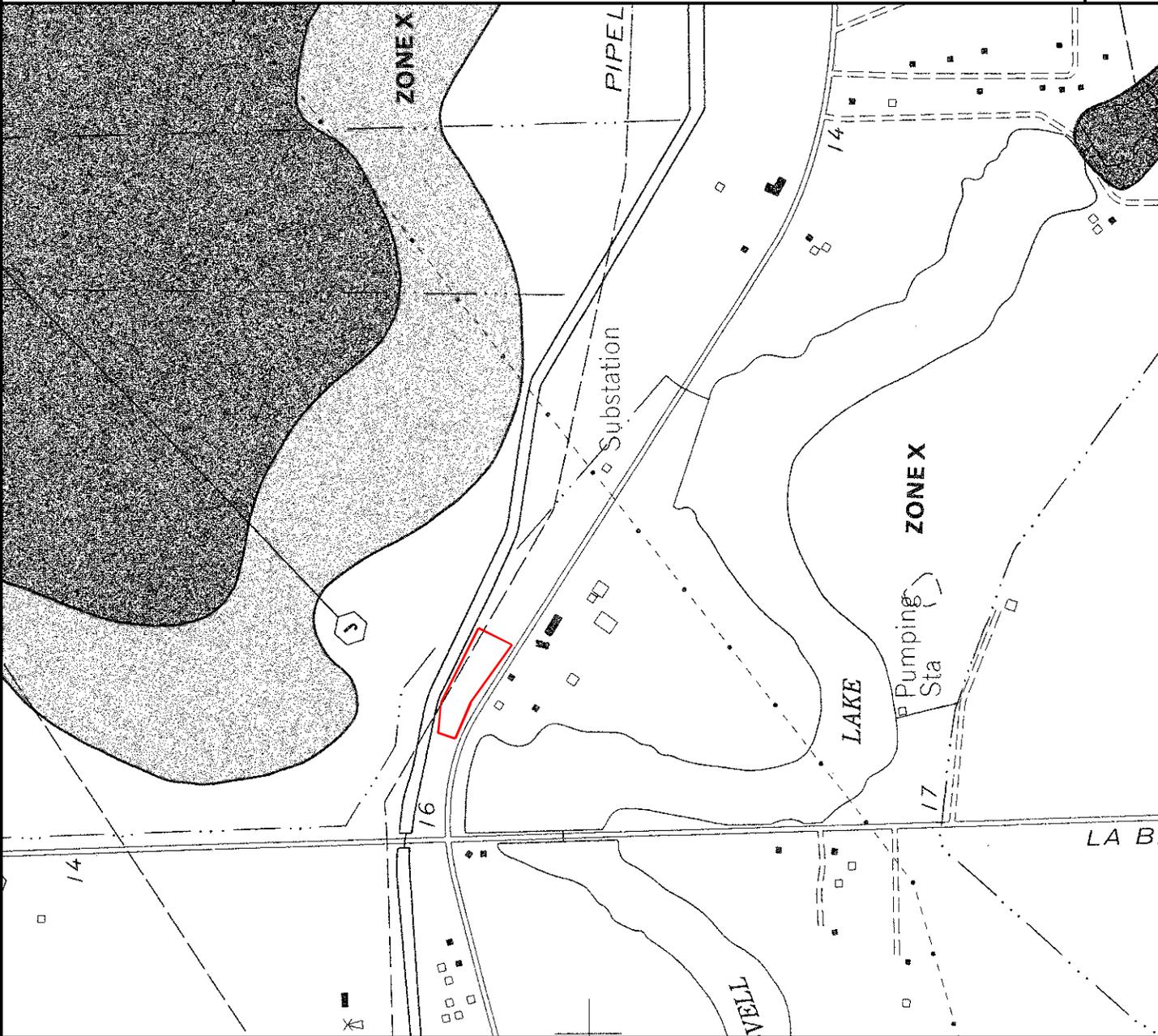


Mary Myers, CFM, ASID
EHP Specialist
FEMA-1791-DR-TX

APPENDIX C FLOODPLAIN MAP



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

FIRM
FLOOD INSURANCE RATE MAP

JEFFERSON COUNTY,
TEXAS
(UNINCORPORATED AREAS)

PANEL 270 OF 600
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
4803850270 C

MAP REVISED:
AUGUST 6, 2002



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.msc.fema.gov

APPENDIX D SITE PHOTOS



Photo 1: Facing northeast looking at property across FM 365



Photo 2: Facing north looking at the largest Chinese tallow tree on the property



Photo 3: Facing southwest from the top northeastern corner of the property



Photo 4: Typical view of the dominant grasses on the property

APPENDIX E PUBLIC NOTICE

**Federal Emergency Management Agency
PUBLIC NOTICE**

Notice of Availability of the Draft Environmental Assessment
for the Construction of a New Fire Station
LaBelle, Jefferson County, Texas
FEMA-1791-DR-TX

Interested persons are hereby notified that the LaBelle-Fannett Volunteer Fire Department (VFD) has applied to the Federal Emergency Management Agency (FEMA) for assistance with the construction of a new fire station to be located at 12911 FM 365 in LaBelle, Texas. The proposed project would be located on a 3.5 acre site east of LaBelle Road which fronts 100 feet of FM 365. The new location would be located in an area outside of the 100-year and 500-year floodplain, have greater access to major streets and highways, and would allow the VFD to use the station for an emergency shelter during the next flooding event.

In accordance with the National Environmental Policy Act (NEPA) of 1969 and the implementing regulations of FEMA, an Environmental Assessment (EA) was prepared to assess the potential impacts of the proposed action on the human and natural environment. The Draft EA summarizes the purpose and need, alternatives, affected environmental, and potential environmental consequences for the proposed action. The Draft EA is available for comment and can be viewed and downloaded from FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm> or viewed at the following location between March 11, 2009 and April 9, 2009:

Beaumont Public Library
801 Pearl Street
Beaumont, Texas

The comment period will end 30 days from the initial notice publication date of March 11, 2009. Written comments on the Draft EA can be mailed or faxed to the contact listed below. If no substantive comments are received by 5:00 pm on April 9, 2009, 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.

AECOM
c/o Carlos Swonke
400 West 15th Street, Suite 500
Austin, TX 78701
FAX – 512-472-7519