



FEMA

DRAFT FINDING OF NO SIGNIFICANT IMPACT

Programmatic Environmental Assessment Alternative Housing Pilot Program Permanent Housing Calcasieu Parish, Louisiana

Under the authority of Section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), Federal Emergency Management Agency (FEMA) administers the Individual Assistance Program to provide temporary housing for disaster victims in affected areas whose homes are uninhabitable or destroyed. Although FEMA's traditional temporary housing options are sufficient to address the unmet housing needs of residents in most disasters, the catastrophic dimensions of Hurricanes Katrina and Rita challenged the efficacy of these traditional methods. Recognizing the extensive and complex housing challenges facing victims and communities as a result of 2005 hurricane season, and acknowledging the limitations on FEMA's ordinary statutory authority to provide non-temporary housing solutions, Congress appropriated funds to the Department of Homeland Security (DHS) 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. The Stafford Act legally binds FEMA to a temporary housing mission, 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 Louisiana. The Louisiana Recovery Authority (LRA) has applied for FEMA funding under the AHPP to provide permanent housing solutions for eligible applicant families displaced by Hurricanes Katrina and Rita. LRA proposes to provide for long-term and permanent housing within Calcasieu Parish (program area).

In accordance with the National Environmental Policy Act (NEPA) and 40 Code of Federal Regulations (CFR) 1500 *et. seq.*, 44 CFR 10 *et. seq.*, and DHS's Management Directive 5100.1, FEMA has prepared a Programmatic Environmental Assessment

(PEA) for the AHPP in Calcasieu Parish, Louisiana (March 2009) to evaluate the alternatives proposed for the implementation of this program. Three alternatives were analyzed in the PEA; the alternatives are listed below and include a no action alternative and two action alternatives.

- Alternative 1: No Action Alternative.
- Alternative 2: Installation of Permanent AHPP units on Previously Disturbed Land.
- Alternative 3: Installation of Permanent AHPP units on Undeveloped Land.

FEMA has prepared this PEA to streamline compliance with NEPA and to expedite the provision of permanent housing to displaced persons. FEMA will apply the PEA to the alternative actions described above throughout the program area. For actions with impacts not described in the PEA or for action-specific considerations that require additional analysis, as suggested by the PEA, FEMA will prepare a Supplemental Environmental Assessment (SEA) that tiers from this PEA. The PEA, and SEAs as appropriate, will provide the required NEPA clearance. They will also provide, along with appropriate consultations, a means for FEMA to address compliance with other Federal environmental laws and regulations, including the Endangered Species Act and National Historic Preservation Act (NHPA).

The LRA is notifying the public of the availability of the draft PEA through publication of a public notice in the *American Press* newspaper. FEMA conducted a 15-day public comment period commencing on March 4, 2009 and ending on March 18, 2009. The draft EA is also available for public viewing at the Central Library, 301 West Claude Street, Lake Charles, Louisiana 70605 and the Carnegie Memorial Library, 411 Pujot Street, Lake Charles, Louisiana 70601. In addition, the draft EA can be viewed and downloaded during the 15-day public comment period on FEMA's website at <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>. Written comments on the draft EA can be faxed to FEMA at (504) 762-2527.

Findings

Under the proposed program alternatives, as described in the PEA, impacts to geology and hazardous materials and wastes are not anticipated. Positive impacts to socioeconomics are expected. Biological resources and wetlands would not be impacted under Alternative 2 but may potentially be impacted under Alternative 3.

During the construction period, short-term impacts to soils, water quality, transportation, air quality, and noise are anticipated. Also during the construction period, cultural resources impacts could occur during ground disturbing activities; however, Section 106 consultation would be on-going to limit any potential impacts which could occur. Minimal, but insignificant floodplain impacts could occur with the construction of the cottages. All short-term impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas.

Conditions

The LRA shall comply with all prescribed conditions set forth in the PEA, including but not limited to the following conditions. Failure to comply with these conditions may jeopardize the receipt of Federal funding. LRA shall be responsible for completing all necessary consultations, permitting, and mitigation for the potential loss of resources prior to the commencement of construction activities.

1. Currently, the individual proposed locations for the individual AHPP units have not been confirmed. At such time that locations are chosen, the records search data combined with site visit observations will be used to determine potential adverse effects to historic properties. In addition, based on work conducted by FEMA within the State since the 2005 hurricane season, a defined process has been outlined and utilized during all proposed actions which may impact cultural resources. This process is summarized below:
 - FEMA will conduct project reviews in compliance with Section 106 of the National Historic Preservation Act and the 2004 Statewide Programmatic Agreement (PA) between FEMA, the State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP) and the

Governor's Office of Homeland Security and Emergency Preparedness (GOSHEP).

- The project location will be reviewed against data provided by SHPO.
- FEMA will determine if any standing structures are listed in the National Register of Historic Places (NRHP), are over 50 years in age are, or are within or adjacent to a National Register Historic District. If necessary, the eligibility of these structures and potential National Register Historic Districts will be assessed.
- When the undertaking is within or near historic-age structures, FEMA will install the AHPP cottage design approved by the SHPO which most closely blends into the adjacent homes and neighborhood.
- For archaeological resources, FEMA will determine if any previously recorded archaeological sites are in the vicinity of the project area and if the project is likely to affect archaeological sites. The undertaking will be assessed to determine if it meets the programmatic allowances stipulated within the PA. In accordance with the PA, FEMA is not required to consult with the SHPO where work performed meets these allowances.
- When the undertaking does not meet the Programmatic Allowances, FEMA will consult with SHPO and Tribes, as necessary. For standing structures, FEMA will write a Determination of Eligibility and make an effects determination which will be sent to SHPO, and Tribes (as necessary), for review and comment.
- For eligible or potentially eligible archaeological sites or areas where there is a high potential for archaeological resources, FEMA will check SHPO site files and associated eligibility recommendations and make a site visit to determine if the undertaking will directly impact the site or if unrecorded archaeological sites are present. If necessary, FEMA will engage in archaeological testing to determine the presence and/or eligibility of archaeological sites. FEMA will then make an eligibility determination (if testing has occurred) and effects determination which is sent to SHPO and Tribes (as necessary).

- If it is determined that adverse effects to listed or eligible NRHPs are likely, FEMA will engage in consultation with SHPO, other state and federal agencies, Tribes, and members of the public to avoid, minimize, or mitigate for adverse effects which is memorialized in a Memorandum of Agreement.
 - In the event that archeological deposits, including any Native American pottery, stone tools, or human remains, are uncovered, the project would be halted. LRA or its contractor would stop all work immediately in the vicinity of the discovery and take reasonable measures to avoid or minimize harm to the finds. All archeological findings would be secured and access to the sensitive area restricted. The LRA would inform FEMA immediately and FEMA would consult with the SHPO or Tribal Historic Preservation Officer (THPO) and interested tribes. Work in sensitive areas would not resume until consultation is completed and appropriate measures have been taken to ensure that the project is in compliance with the NHPA.
2. The AHPP cottages will be constructed on piers and if constructed within the 100-year floodplain the finished floor will be elevated above the base flood elevation (BFE) for those units located in the City of Lake Charles but will be elevated above the Advisory Base Flood Elevation (ABFE) if located outside the City of Lake Charles. A site elevation survey would be performed by the LRA's partners, Habitat for Humanity and Project Build a Future to ensure that the AHPP housing will meet or exceed the BFE or ABFE, as necessary. FEMA has gone through the Eight-Step Planning Process to ensure that its actions are consistent with EO 11988 within Calcasieu Parish. An initial notice for the building of AHPP units within the State has been previously publicized. A final notice will be publicly circulated during the public comment period for this PEA for 15 days starting on March 4, 2009, explaining the various FEMA actions and included alternatives and the reasons for siting in the floodplain.

3. To minimize noise impacts to nearby sensitive noise receptors, construction activity will be limited to daylight hours during the work week, between 7:30 am to 5:30 pm on Monday through Friday.
4. Under Alternative 3, if threatened and endangered species and their habitats will be impacted at a specific AHPP site, then FEMA will consult with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NOAA Fisheries).
5. Under Alternative 3, if wetlands will be impacted at a specific site, FEMA will delineate the proposed site to identify the presence of jurisdictional wetlands and waters of the U.S. Should wetlands or waters of the U.S. be identified and their impacts considered unavoidable, early coordination with the regulatory section of the local U.S. Army Corps of Engineers (USACE) district, U.S. Environmental Protection Agency (USEPA), the Natural Resources Conservation Services (NRCS), Louisiana Department of Environmental Quality (LDEQ), and other appropriate agencies will be completed prior to the initiation of the construction activities.
6. Should LRA or its contractor encounter any explosive or flammable materials, toxic chemicals, and/or radioactive materials during site clearing and demolition than LRA will follow the requirements of 24 CFR Part 51 to minimize any potential harm to human health or the natural environment. In addition, all debris associated with site clearing will be removed and disposed of in accordance with all Federal, state, and local regulations.

Conclusion

Based upon the information contained in the PEA, the potential direct, indirect, and cumulative impacts resulting from implementation of the alternative actions, and in accordance with FEMA's regulations in 44 CFR Part 10, a Finding of No Significant Impact (FONSI) is concluded. Therefore, an Environmental Impact Statement (EIS) process will not be required, based on the fact that there would be no long-term adverse

direct, indirect, or cumulative impacts on the natural environment resulting from FEMA actions, as identified in the PEA, taken to establish permanent housing under the AHPP.

This FONSI is based upon a site-specific proposed action adhering to one of the alternatives described in the PEA and meeting all conditions prescribed for that particular alternative. In those instances where the proposed action does not conform to the described alternative actions or to all of the prescribed conditions, a SEA and corresponding FONSI would be prepared to address the differences.

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