FEMA

FINDING OF NO SIGNIFICANT IMPACT

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

Background

Recognizing the extensive and complex housing challenges facing victims and communities as a result of Hurricane Katrina, and acknowledging the limitations on the Federal Emergency Management Agency's (FEMA) 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 Robert T. Stafford Disaster Relief and Emergency Assistance Act which 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, especially in the southernmost parishes such as Orleans Parish. The State of Louisiana through the Louisiana Recovery Authority (LRA) has applied for FEMA funding under the AHPP to provide permanent housing solutions within Orleans Parish (program area) for eligible applicant families displaced by Hurricane Katrina.

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 023.1 (formerly Directive 5100.1), FEMA has prepared a Programmatic Environmental Assessment (PEA) for the AHPP in Orleans Parish, Louisiana (August 2009) to evaluate the alternatives proposed for the implementation of this program. Two alternatives were analyzed in the PEA, the No Action Alternative and the Proposed Action Alternative.

FEMA has prepared the 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 the 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 Clean Water Act, Endangered Species Act and National Historic Preservation Act (NHPA).

Under the Proposed Action Alternative, as described in the PEA, impacts to geology, biological resources, wetlands, and hazardous materials and wastes are not anticipated. During the construction period, short-term impacts to soils, water quality, transportation, air quality, noise, and socioeconomics are anticipated. After construction, beneficial socioeconomic effects would occur. Also, during the construction period, subsurface historic property impacts could occur during ground disturbing activities; however, Section 106 consultation, which would include consultation with Federally recognized Indian tribes that attach religious or cultural significance to the area in accordance with 36 Part 800, and would be on-going to limit any potential impacts which could occur. Above-ground historic properties may potentially be impacted but impacts would be determined by FEMA through the Section 106 process. Minor, but less than significant floodplain impacts would 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. 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.

Any changes to this approved scope of work will require submission to, and evaluation and approval by FEMA prior to initiation of any work, for compliance with NEPA. Non-

compliance with the requirements noted above may jeopardize the receipt of Federal funding.

1. If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, LRA and its contractor shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. All archaeological findings or remains would be secured and access to the sensitive area restricted. LRA or its contractors shall immediately inform FEMA of the discovery. If unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 *et seq.*) is required. LRA or its contractor shall notify the law enforcement agency of the jurisdiction where the remains are located within 24 hours of the discovery. LRA or its contractor shall also notify FEMA and the Louisiana Division of Archaeology at (225) 342-8170 within 72 hours of the discovery. The LRA and its contractor will not proceed with work until FEMA completes consultation with the State Historic Preservation Officer (SHPO) and/or federally recognized Indian Tribes.

2. If FEMA determines that an adverse effect would result from the proposed action on historic properties (including subsurface historic properties), FEMA would invite interested members of the public to comment on the project and participate in the resolution of those adverse effects.

3. The AHPP cottages would be constructed on piles, and if constructed within the 100-year floodplain the finished floor would be elevated to (or above) the required digital flood insurance rate map (DFIRM) elevation. A site elevation survey would be performed by the LRA to ensure that the AHPP housing would meet or exceed the DFIRM elevation, as necessary. FEMA has gone through the Eight-Step Planning Process to ensure that its actions are consistent with Executive Order 11988 within Orleans Parish. An initial and a final notice for the building of AHPP units within Louisiana have been previously publicized.

4. Potential soil erosion would be minimized through the use of Best Management Practices (BMP) and a vibration threshold value would be utilized by the piling contractor to minimize any potential damage to adjacent homes.

5. The LRA's construction contractors would employ a qualified laboratory and staff personnel to monitor the vibratory pile driving activities. The laboratory field technicians would be deployed to the construction sites where they would install vibration sensory devices (seismographs) into the soils next to the adjacent structures on all sides of the construction site. Seismographs would detect vibrations from the pile driving equipment and alert the field technicians if the vibrations are approaching 0.5 inches per second or less if within historic districts. If this threshold is approached the pile driving activities would be terminated and mitigation measures to reduce vibrations would be implemented. These mitigation measures to reduce vibrations could include drilling a pilot hole for the pile or wetting the pile and hole to lubricate the downward insertion.

6. To minimize noise impacts construction activities would be limited to 8:00 AM to 6:00 PM, Monday through Friday; and foundations would be installed using a small vibratory compactors/driver as the "KHP 135 II", or similar equipment with approximately the same noise emissions. Construction activities would not occur in the late evenings and early mornings or on weekends. Should schools be located nearby, special construction mitigations would potentially be utilized, such as the use of noise barriers or adjustment of the construction schedule to the summer months, during school holidays when students are not in classes, or after the school day ends but prior to 6:00 PM.

7. Should LRA or its contractor encounter any explosive or flammable materials, toxic chemicals, and/or radioactive materials during site clearing and demolition than LRA would 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 would be removed and would be disposed of in accordance with all Federal, state, and local regulations.

Findings

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, the preparation of an Environmental Impact Statement (EIS) 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 impacts of the differences.

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FEMA-1603/1607-DR-LA

10 August 09
Date

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August 10, 2009
Date