

Environmental Assessment
Jefferson Davis Electric Cooperative -
Cameron Service Facility
Relocation

Cameron Parish, Louisiana

FEMA-1607-DR-LA

June 2011



Federal Emergency Management Agency
U.S. Department of Homeland Security
Louisiana Recovery Office
New Orleans, Louisiana 70114



FEMA

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LIST OF ACRONYMS

ABFE	Advisory Base Flood Elevation
BFE	Base Flood Elevation
BMP	Best Management Practices
CAA	Clean Air Act
CBRA	Coastal Barrier Resources Act
CBRS	Coastal Barrier Resources System
CFR	Code of Federal Regulations
CUP	Coastal Use Permit
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
DELO	Deputy Environmental Liaison Officer
DFIRM	Digital Flood Insurance Rate Map
EA	Environmental Assessment
EDMS	Electronic Document Management System
EIS	Environmental Impact Statement
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FHF	Flood Hazard Factors
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
GOHSEP	Governor's Office of Homeland Security and Emergency Preparedness
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
LGS	Louisiana Geological Survey
LRO	Louisiana Recovery Office
NAAQS	National Ambient Air Quality Standards
NAVD	North American Vertical Datum
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NOAA	National Oceanic & Atmospheric Administration
NRHP	National Register of Historic Places
NRCS	Natural Resources Conservation Service
NWI	National Wetlands Inventory
OSHA	Occupational Safety and Health Act
PA	Public Assistance
PA	Programmatic Agreement (ref. Historic Preservation)
RCRA	Resource Conservation and Recovery Act
RHA	Rivers and Harbors Act
SHPO	State Historic Preservation Office/Officer
US	United States
USACE	United States Army Corps of Engineers

USDA United States Department of Agriculture
USFWS United States Fish and Wildlife Service
VRP Volunteer Remedial Program
WSRA Wild and Scenic Rivers Act

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**ENVIRONMENTAL ASSESSMENT
FOR
JEFFERSON DAVIS ELECTRIC COOPERATIVE - CAMERON SERVICE FACILITY
RELOCATION
CAMERON PARISH, LOUISIANA
FEMA-1607-DR-LA**

1.0 INTRODUCTION

1.1 Project Authority

Hurricane Rita, a Category 3 hurricane with a strong storm surge, made landfall on September 24, 2005, causing catastrophic damage to the western parishes of Louisiana. Maximum sustained winds at landfall were estimated at 120 miles per hour. President Bush declared a major disaster for the State of Louisiana due to damages from Hurricane Rita and signed a disaster declaration (FEMA-1607-DR-LA) on September 24, 2005, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide federal assistance in designated areas of Louisiana. FEMA administers this disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. Section 406 of the Stafford Act authorizes FEMA's Public Assistance Program to repair, restore and replace facilities damaged as a result of the declared event.

This Environmental Assessment (EA) has been prepared in compliance with the National Environmental Policy Act of 1969 (NEPA); the President's Council on Environmental Quality regulations implementing NEPA (40 Code of Federal Regulations [CFR] 1500-1508); and FEMA's regulations implementing NEPA (44 CFR 10.9). The purpose of this EA is to analyze the alternatives and assess the potential environmental impacts associated with the proposed relocation of the Jefferson Davis Electric Cooperative – Cameron Service Facility to a new location. FEMA will use the findings in this EA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

1.2 Background

Cameron Parish is a coastal parish of southwest Louisiana that consists of 1,441 square miles. It is bordered to the west by Orange and Jefferson Counties of Texas, and Vermillion Parish to the east and Calcasieu Parish to the north, both of which are located in Louisiana.

On September 24, 2005, storm surge from Hurricane Rita resulted in extensive damage to the Jefferson Davis Electric Cooperative – Cameron Service Facility, located at 873 Marshall Street, Cameron, Louisiana. The Jefferson Davis Electric Cooperative - Cameron Service Facility is owned by the Jefferson Davis Electric Cooperative, Incorporated. It consists of a 3,600 square foot office/warehouse building. This was a 40 foot X 90 foot masonry building with an aluminum/glass store front. Approximately

forty-nine percent (49%) of the building contained offices, restrooms, a vault, a kitchen, and an area used for walk in customer service. Fifty-one percent (51%) of the building (40' X 46') was used as a warehouse to store critical equipment and tools used to service the utility's electric distribution system. Brackish water inundated the building, resulting in interior and exterior damages.

1.3 PURPOSE AND NEED

The purpose and need for the proposed action is to restore the multi-structure facilities and electrical service lost on September 24, 2005 by Hurricane Rita which caused extensive damage in the state of Louisiana and resulted in a presidentially declared major disaster, FEMA-1607-DR-LA. Jefferson Davis Electric Cooperative (JDEC) - Cameron Service Facility is seeking federal grant funds to replace the critical infrastructure function and services to seven thousand (7,000) members/citizens who live and work in Allen, Calcasieu, Cameron and Jefferson Davis parishes of Louisiana.

Jefferson Davis Electric Cooperative, with the Governor's Office of Homeland Security and Emergency Preparedness have determined that the best interests of the communities served by the JDCE is to replace the critical function through rebuilding at a new location approximately 20 miles inland from the original location that was destroyed due to hurricane force winds and subsequent storm surge from Hurricane Rita.

2.0 ALTERNATIVES

The NEPA process is an evaluation of the environmental effects of a federal undertaking, including feasible alternatives. The purpose and need of a project is essential in establishing a basis for the development of a range of reasonable alternatives required in an EA, and assists with the identification and eventual selection of a preferred alternative. Three (3) alternatives have been proposed and reviewed, including: 1) the No Action Alternative, 2) Reconstruction of the Jefferson Davis Electric Cooperative - Cameron Service Facility at the Proposed Alternate Location, and 3) Reconstruction of the Jefferson Davis Electric Cooperative-Cameron Service Facility at the original site.

2.1 Alternative 1 – No Action:

Under this alternative, the Jefferson Davis Electric Cooperative would not replace or repair the Cameron Service Facility. Consequently, the community would be reliant on other sources of electricity and deprived of the benefits of this member-owned utility.

2.2 Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility (Proposed Action):

Jefferson Davis Electric Cooperative, Incorporated proposes to construct a new office/warehouse, storage/equipment shed, and fence/gate at a different location. This

action would include site preparation, building reconstruction, and construction of necessary utilities and accoutrements.

The proposed project site is a parcel that covers an area of approximately two (2) acres located at 815 Highway 27, Bell City, Louisiana in Cameron Parish. The parcel consists of a flat field, covered in ornamental grasses and no trees. The project site is currently occupied by a temporary building. The land immediately north of the project site is dominated by trees/foliage. Highway 27 runs north and south along the westernmost edge of the subject project site. Louisiana State Highway 384 runs east and west along the southernmost edge of the project site. Across from the project site at the southern side of the Louisiana Highway 384, lies residential development. Several commercial facilities are adjacent to the project site. The proposed location is approximately twenty (20) miles inland from the original Jefferson Davis Electric Cooperative - Cameron Service Facility (*see Figures 1 and 2*).

The proposed site will consist of the same type of structures that were damaged or destroyed during the storm. This facility will be built to approximately the same size, with additions to comply with required codes and standards and elevated to meet Flood Insurance Rate Map (DFIRM) requirements. These structures are: (1) office/warehouse, (2) storage/equipment shed, and (3) fence/gate. The total building area for the proposed new facility is 3,778 square feet.

2.3 Alternative Eliminated From Further Consideration:

One alternative considered was the demolition and reconstruction of the existing Jefferson Davis Electric Cooperative - Cameron Service Facility to its pre-disaster location, function and capacity. At this location the facility would be required to elevate to the digital Flood Insurance Rate Map (DFIRM). The facility would be reconstructed in the respective original footprint and would include improvements for meeting current codes and standards.

Rebuilding the facility at its pre-disaster location is not practicable, desirable, or feasible and therefore will be eliminated from further analysis. The current location of Jefferson Davis Electric Cooperative-Cameron Service Facility at 873 Marshall Street in Cameron, Louisiana is in a Coastal High Hazard Area.

During Hurricane Rita, the multi-structure facility was inundated with brackish water and was heavily damaged. In the event of a similar disaster, Jefferson Davis Electric Cooperative-Cameron Service Facility would remain vulnerable to devastating damage leaving the population served without adequate electrical/emergency services.

Because there is a more feasible alternative to rebuilding the facility at the pre-disaster site, which is in close proximity to the coastline, this alternative is not considered practicable and will not be studied further in this EA.

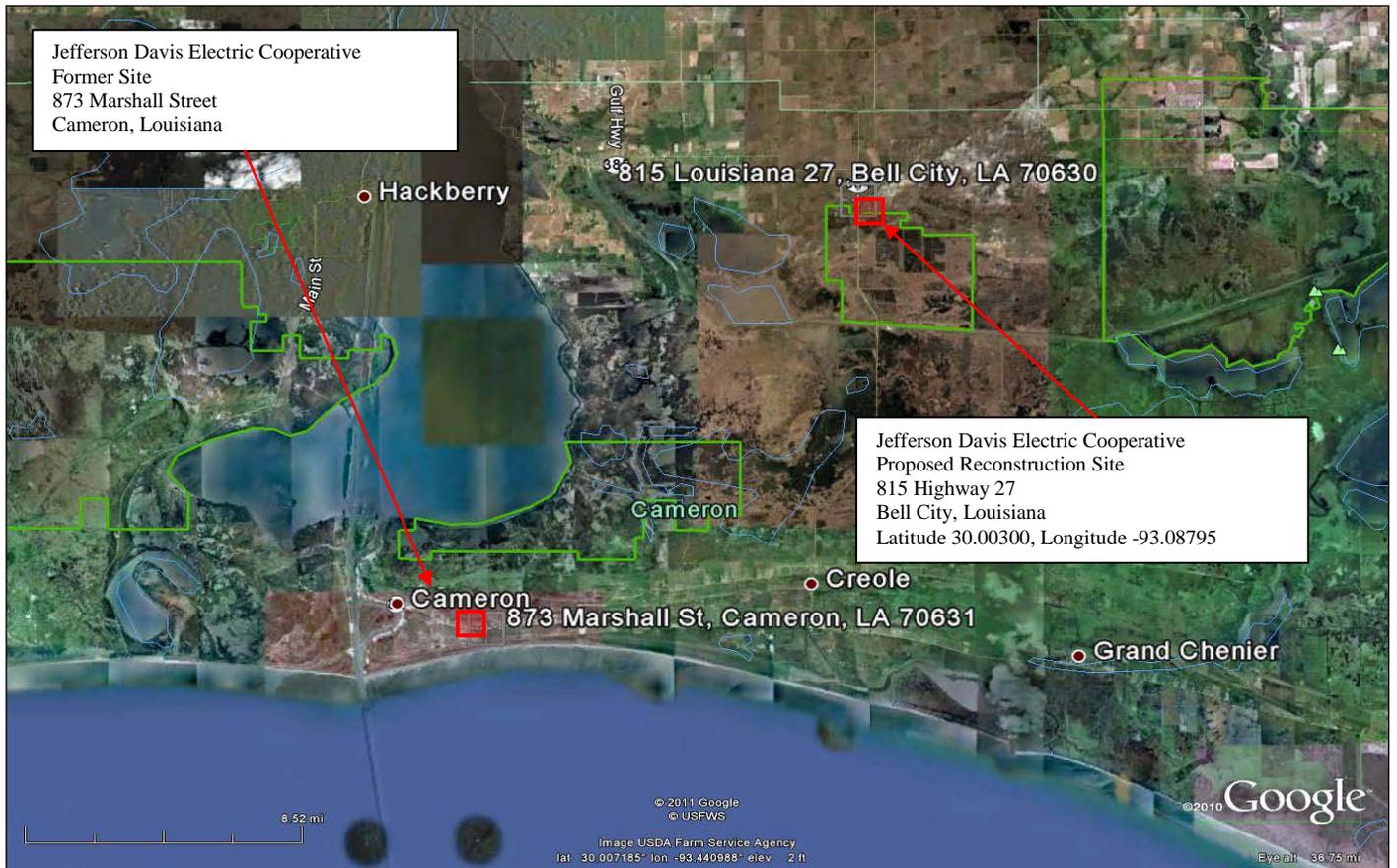
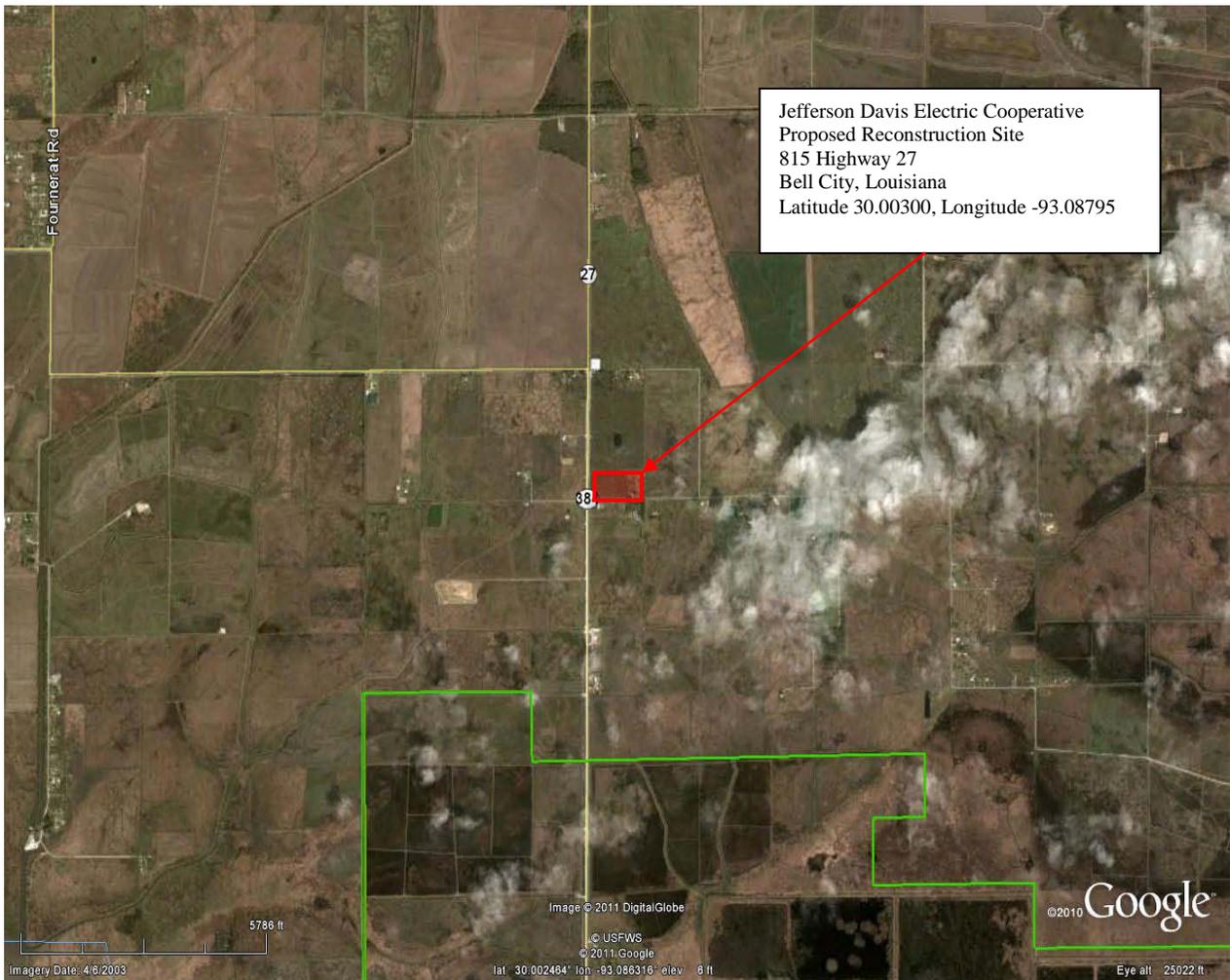


Figure 1 - Jefferson Davis Electric Cooperative - Former Site and Proposed Reconstruction Site



Jefferson Davis Electric Cooperative
Proposed Reconstruction Site
815 Highway 27
Bell City, Louisiana
Latitude 30.00300, Longitude -93.08795

Figure 2 - Jefferson Davis Electric Cooperative - Proposed Site (Google Earth, 2011)

3.0 AFFECTED ENVIRONMENT AND IMPACTS

3.1 Geology and Soils

Surface soils of Louisiana's coastal settings are underlain by geologically young sedimentary sequences that were deposited from adjacent rivers and deltas. In general, over time the geophysical effects between sediment processes (rates of fluvial/coastal deposit loads and diagenesis) and the rise and fall of the Gulf of Mexico due to glaciers retreating and advancing, respectively, has resulted in the Chenier Plain and Saline Marsh materials (Pope et. al. 1984). Both materials are termed as alluvium formations created during the Holocene (Recent) Age. Slope is dominantly less than 1 percent but ranges to 3 percent.

These soils are easily recognized by being gray to brown in color and having a moderate organic component causing the silt and clay-sized (i.e., fines) fractions to be black in color. The formation of cheniers is attributed to the dominant fines component matter; white to light gray fine sand and shell fragments being reworked by wave erosion to form low, elongate, relict beach ridges.

The proposed site is a parcel measuring approximately two (2) acres in the town of Bell City. According to the Louisiana Geological Survey (LGS), the geology of the proposed location predominantly consists of Holocene Coastal Marshes (*see figure 3*). The topography of the area is generally flat. According to the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Web Soil Survey, the soil of the proposed site is Crowley-Vidrine silt loams and Mowata-Vidrine silt loams, and is defined as somewhat poorly drained, very slowly permeable soils. Based upon the NRCS soils database, soils of Cameron Parish is classified as prime farmlands.

The Farmland Protection Policy Act (FPPA) (7 U.S. Code 4201, et seq.) was enacted in 1981 to minimize the unnecessary conversion of farmland to non-agricultural uses as a result of federal actions. The FPPA requires federal agencies to evaluate the adverse effects of their activities on prime and unique farmland. The FPPA also requires federal agencies to consult with NRCS regarding impacts to prime and unique farmland, and farmland of statewide importance. Prime farmland is characterized as land with the best physical and chemical characteristics for the production of food, feed, forage, fiber and oilseeds crops (USDA 1989).

Alternative 1 – No Action:

The No Action alternative would not impact geological processes or soils. This alternative would not impact prime, unique, statewide, or locally important farmland.

Alternative 2 – Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility (Proposed Action):

Under Alternative 2, the construction of the new service facility would affect soils, primarily as part of site preparation and building construction. Soils will be exposed during excavation, grading and trenching for utilities, etc. Additionally, installation of the proposed structures would

result in the compaction of all underlying soil. Soil compaction generally causes a reduction in the amount of moisture and organic material present in the soil. Over time, implementation of proposed work is likely to result in conversion of the existing soil type, to some other soil type. To minimize disturbance, silt fences and storm water quality. Best Management Practices (BMP) would be utilized during construction.

FEMA initiated consultation with the NRCS on October 7, 2009, regarding potential impacts to prime and unique farmland as defined in 7 CFR 658.2(a). According to their letter dated November 12, 2009, the site is prime farmland with a relative Farmland Value Of 87. According to 7 CFR § 658.4, sites receiving a total score of less than 160 need not be given further consideration for protection.

After consultation and consideration of potential impacts, it was determined that implementation of the proposed work would result in less than significant impacts that, while long-tem in duration, would likely be minimal, and localized.

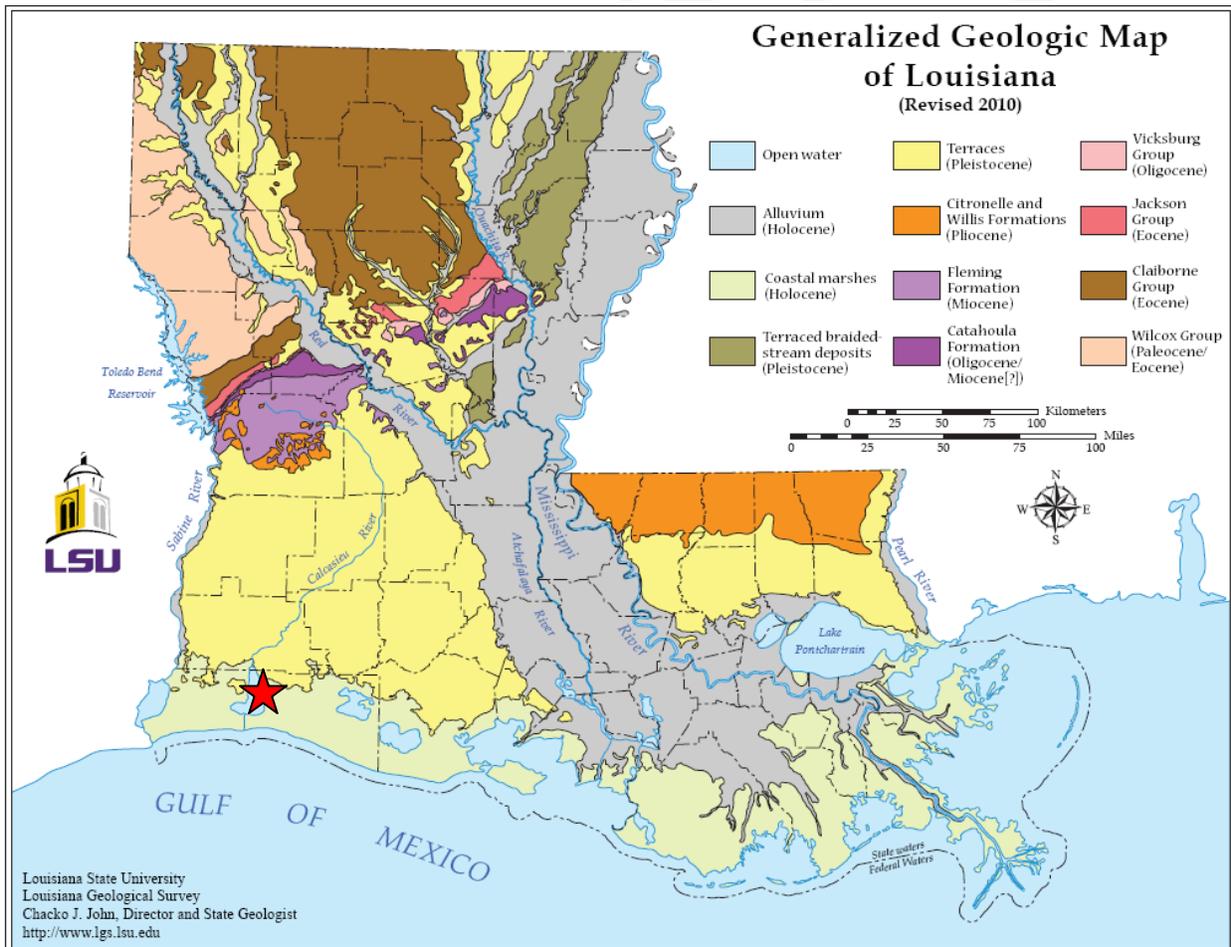


Figure 3 - Generalized Geology Map of Louisiana (LSU, 2010)

3.2 Water Resources and Water Quality

An inspection of the proposed site was conducted on September 19, 2009. No rivers, creeks, or other defined drainages were observed on the proposed project site. Roadside ditches exist along Highway 27 as well as Highway 384. There are also no wild or scenic rivers, as designated under the Wild and Scenic River Act, on or near the proposed project site.

Alternative 1 – No Action:

The No Action alternative would have no impacts on surface and groundwater resources.

Alternative 2 – Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility (Proposed Action):

Relocation of the new structure within an area having existing utilities and infrastructure in place as well as a proposed site without identifiable surface waters would not significantly impact surface water resources.

3.2.1 Wetlands and Waters of the United States

The United States 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 (CWA). 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. Jurisdictional wetland determinations are regulated by the USACE pursuant to the CWA. The USACE also regulates the building of structures in waters of the U.S. pursuant to the Rivers and Harbors Act (RHA). In addition, Executive Order (E.O.) 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.

Review of aerial photographs of the site, identified the presence of jurisdictional wetlands in close proximity to the project. According to the National Wetlands Inventory Map provided by the United States Fish & Wildlife Service (USFWS), there are wetlands and/or other waters of the U.S. on or near the proposed site. The site was graded and filled and the NWI also identified that the town of Cameron coastal frontage is entirely wetlands. A site visit was conducted on September 18, 2009, and identified the presence of wetlands in the vicinity of the proposed site.

Issuance of the USACE permit confirms that USACE, New Orleans District, Regulatory Branch has been provided with notification from Resource Environmental Solutions, LLC that the permittee (applicant) has contracted on 1.5 acres of bottomland hardwood habitat at the Grand Canard Mitigation Bank. Third Louisiana Resource, LLC has assumed responsibility for completing the mitigation in accordance with the Grand Canard Mitigation Banking Instrument and has recorded the allocation of the mitigation required by the permit in the Regional Internet Bank Information Tracking System (RIBITS).

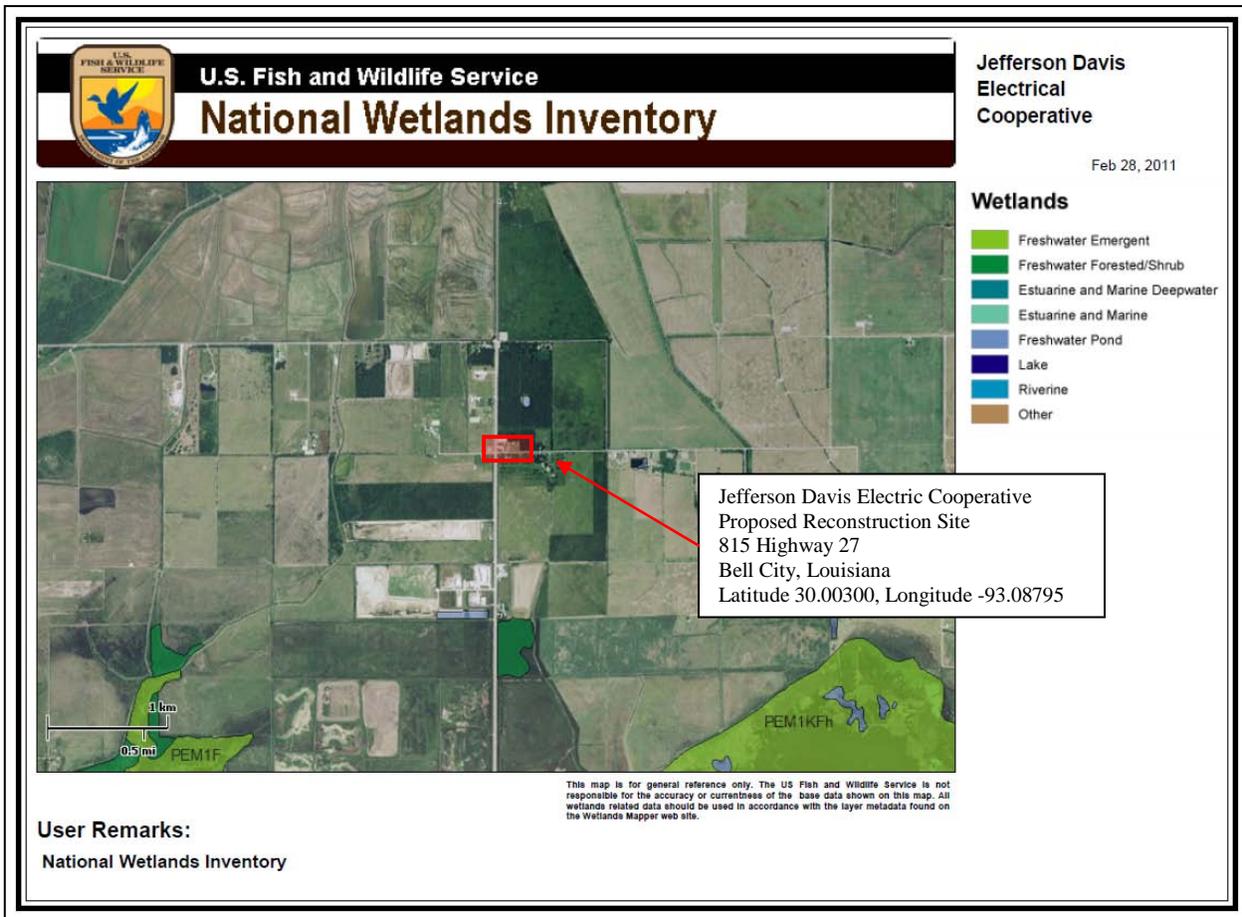


Figure 4 - U.S. Fish and Wildlife National Wetlands Inventory (USFWS Wetlands Mapper 2011)

Alternative 1 – No Action:

The No Action alternative would not impact wetlands or other waters of the U.S. and would not require permits under Section 404 of the CWA or Section 10 of the RHA.

Alternative 2 – Construction of a New Jefferson Davis Electric Cooperative - Cameron Service Facility (Proposed Action):

Construction at the proposed project site would result in adverse effects to the natural value of approximately 2.0 acres of wetlands. FEMA has determined that the proposed site appeared to be inundated by surface water with frequency sufficient to support vegetation and aquatic life and is a jurisdictional wetland under Executive Order (E.O.) 11990 and has the potential to adversely affect jurisdictional or non-jurisdictional wetlands. A Department of the Army permit under Section 404 of the CWA and section 10 of the RHA is required for the deposition or redistribution of dredged or fill material on this site.

The project as proposed would require permits under Section 404 of the CWA/Section 10 of the RHA. In an email dated November 02, 2009, USACE determined that the proposed project site was a wetland subject to their jurisdiction, and federal permit(s) would be required for the placement of dredged or fill material on the project site. Per USACE, the applicant has applied for and secured required permits. In addition, the applicant has bought into mitigation banks for the restoration of areas of wetlands that satisfy the requirements of EO 11988 (see Appendix C).

3.2.2 Floodplain

Flood hazards within Cameron Parish result primarily from tidal surge and associated waves caused by tropical storms and hurricanes (FEMA, 2008). Tides can intrude into the low-lying areas through the Calcasieu Ship Channel, and through the Creole Canal and Kings Bayou, which flow into the Mermentau River. Less severe than tidal flooding, stream overflow occurs infrequently from the Sabine, Calcasieu, and Mermentau River systems, all of which cross Cameron Parish and empty into the Gulf of Mexico within the Parish boundaries. Because of the flat terrain and inadequate drainage, many areas are also susceptible to shallow flooding or ponding during rainfalls (FEMA, 2008a). Not all storms that pass closely to the study area produce extremely high tides. Similarly, storms that produce extreme conditions in one area may not produce critical conditions in other locations. The rainfall that usually accompanies hurricanes can aggravate the tidal flooding.

Nonstructural flood protection measures in the parish consist of the Cameron Parish Police Ordinance entitled "An Ordinance Providing for Flood Insurance Requirements", dated August 2, 1977, and amended September 5, 1977. This ordinance places controls on the types of development and activities that are permissible in the floodplain and establishes a permitting system and building codes and standards to mitigate risks from flooding. Major hurricane disasters have occurred in Cameron Parish because of its location on the coast and low ground elevations. Based on the parish's geographical location and topography, the only method of protection available to the public during hurricanes is evacuation; there is a lack of adequate emergency shelters (FEMA, 2008a).

In compliance with FEMA policy implementing Executive Order 11988, Floodplain Management, the project was reviewed for possible impacts associated with occupancy of or modification to a floodplain. The town of Bell City enrolled in the National Flood Insurance Program (NFIP) on April 4, 1983. According to the Flood Insurance Rate Map (FIRM) Community Panel Number 2202210300D, the proposed project site is located within the 100-year floodplain.

Alternative 1 – No Action:

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

Alternative 2 – Construction of a new Jefferson Davis Electric Cooperative-Cameron Service Facility (Proposed Action):

The proposed action alternative would involve the relocation and reconstruction of the Jefferson Davis Electric Cooperative - Cameron Service Facility to the proposed site an area away from the coastline, higher in elevation and approximately twenty miles inland. The following structures were damaged or destroyed and are planned to be rebuilt to the same sizes, plus additions required to incorporate required codes and standards. These structures are: 1) office/warehouse, 2) truck shed, 3) separate warehouse, 4) used transformer shed. Additionally, two (2) 2,000 gallon fuel tanks (one, diesel; the other, gas) were destroyed, and are to be replaced. These facilities were in an area found on Preliminary Digital Flood Insurance Rate Map (DFIRM) Panel Number 22023C0700H, dated 03/28/2008, and are located in Zones “VE”, EL 16 or EL 17, North American Vertical Datum (NAVD) with Base Flood Elevation (BFE) determined. The proposed relocation is in an area found on preliminary DFIRM Panel Number 22023C0175H, dated 03/28/2008, located in Zone “AE”, EL 10, NAVD, BFE and (FHF) determined (*see Figure 4 and 5*). Many local governing bodies have instituted laws and/or ordinances in order to regulate dredge and/or fill activities in floodplains to assure maintenance of floodwater storage capacity and avoid disruption of drainage patterns that may affect surrounding properties. This project involves dredging and/or placing of fill; therefore, the applicant must contact the local municipal and/or parish governing body regarding potential impacts to floodplains and compliance of the projects proposed activities with local floodplain ordinances, regulations, or permits.

In addition, the applicant is required to coordinate with the local floodplain administrator for floodplain development permit(s) and action must be undertaken in compliance with relevant, applicable and required local codes and standards prior to the start of any activities. In compliance with E.O. 11988, an 8-Step Process, showing considered alternatives, was completed and is attached or on file. As per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied where possible. The replacement of building contents, materials and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the (DFIRM) elevation.

This will mitigate the risk of future flood loss; minimize the impacts of floods on safety, health and welfare as required by E.O 11988.

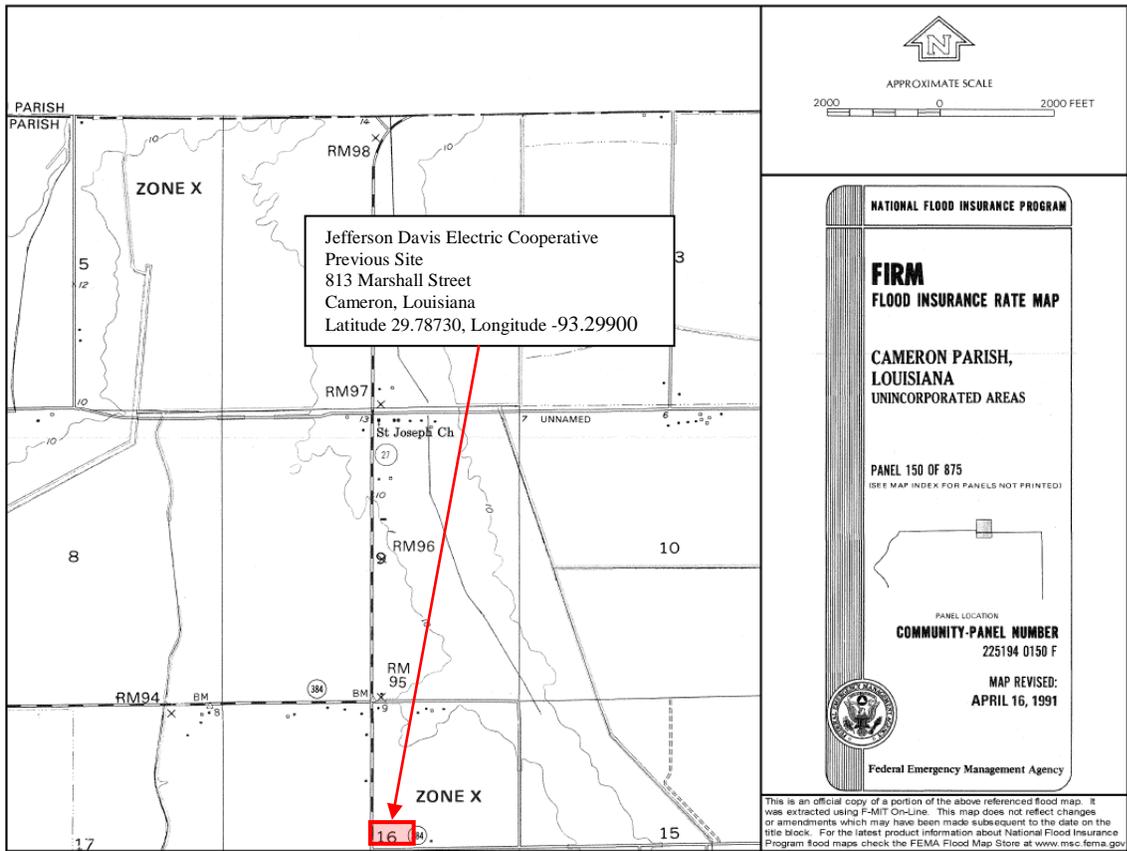


Figure 5 - Jefferson Davis Electric Cooperative - Proposed Relocation Site Effective FIRM Map (FEMA Map Service Center, 2011)

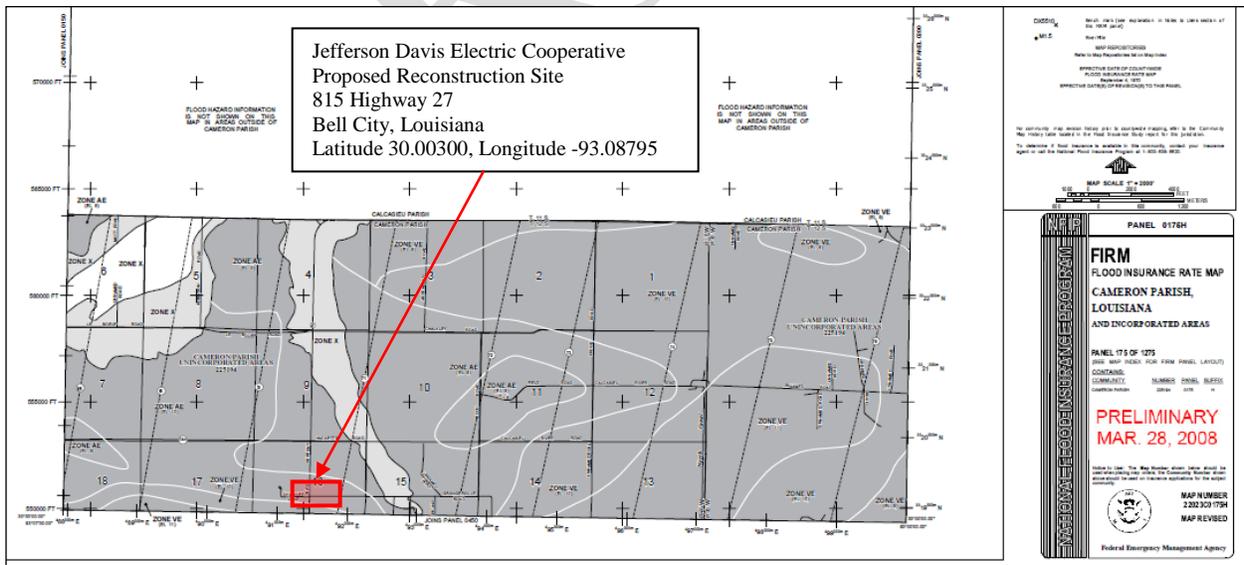


Figure 6 - Jefferson Davis Electric Cooperative – Proposed Reconstruction Site Preliminary DFIRM (FEMA, 2008)

3.3 Coastal Resources

The Louisiana Department of Natural Resources (LDNR) regulates development in the designated coastal zone under the Coastal Zone Management Act (CZMA) of 1972. The CZMA established a system of Coastal Use Permits (CUPs) to regulate uses and activities in the coastal zone. These permits are required for those projects which have a direct impact on coastal waters.

USFWS regulates federal funding in Coastal Barrier Resource System (CBRS) Units under the Coastal Barriers Resource Act (CBRA). The Act protects undeveloped coastal barriers and related areas (“Otherwise Protected Areas”) by prohibiting direct or indirect federal funding of projects in these areas that might support development. The purpose is to promote more appropriate use and conservation of coastal barriers along the Gulf of Mexico.

Alternative 1 – No Action:

The No Action alternative would have no effect on the coastal zone on the CBRS as regulated under CBRA.

Alternative 2 – Proposed Action (Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility):

Based upon Louisiana’s Coastal Zone Boundary Map, the proposed project site is located in the coastal zone and requires a CUP from LDNR prior to initiating any construction activities. The applicant has applied for a CUP for the proposed action (see Appendix C). Based upon Flood Map Viewer powered by Arc GIS and Flex, Jefferson Davis Cooperative is not located within a CBRS, thus CBRA does not apply.

3.4 Biological Resources

The Endangered Species Act (ESA) of 1973 prohibits the taking of all listed threatened and endangered species unless specifically authorized by permit from USFWS or the National Marine Fisheries Service. “Take” is 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 ESA regulations 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.

According to a summary list of federal threatened and endangered species from the USFWS, nine (9) threatened and endangered species occur in Cameron Parish. Six (6) of them occur in the Gulf of Mexico off the parish coast (e.g., sea turtles and Gulf sturgeon). Piping plover and the brown pelican live and nest in coastal areas.

Alternative 1- No Action:

The No Action alternative would have no effect on federal threatened or endangered species.

Alternative 2 – Proposed Action (Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility):

Site inspections conducted on September 19, 2009, did not indicate the presence of habitat suitable for the federal threatened and endangered species listed for Cameron Parish. Through electronic mail consultation with USFWS, the service stated that the proposed project would have no effect on Federal trust resources currently protected by ESA of 1973. Thus, the relocation of the Jefferson Davis Electric Cooperative - Cameron Service Facility would not impact or modify threatened/endangered species, nor critical habitat.

3.5 Cultural Resources

3.5.1 Section 106 of the National Historic Preservation Act (NHPA)

The consideration of impacts to cultural resources is mandated under Section 106 of the National Historic Preservation Act (NHPA) as 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.

FEMA has reviewed this project in accordance with the Statewide Programmatic Agreement (PA) dated August 17, 2009 between the Louisiana State Historic Preservation Officer (SHPO), the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), the Alabama-Coushatta Tribe of Texas, the Caddo Nation, the Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Tunica-Biloxi Tribe of Louisiana, and the Advisory Council on Historic Preservation. The PA was created to streamline the Section 106 review process.

FEMA funding for the construction of the proposed Jefferson Davis Electric Cooperative-Cameron Service Facility would either directly or indirectly involve two (2) properties, under two (2) alternatives. FEMA's Section 106 responsibilities under these two alternatives are discussed below.

Alternative 1 - No Action:

This alternative does not include any FEMA undertaking; therefore, FEMA has no further responsibilities under Section 106 of the National Historic Preservation Act.

Alternative 2 – Proposed Action (Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility):

The undertaking proposed would utilize FEMA funding for the construction of the Cameron Service Facility Office/Warehouse in Bell City, Louisiana along Highway 27. As the surrounding area is comprised of late twentieth-century residential construction, there are no buildings within the area of potential effect (APE) for standing structures that meet the 50-year criterion or criteria consideration G. Ground disturbing activities involved in construction has the potential to affect below ground historic resources; however, based on FEMA's research and fieldwork there are no known archaeological sites and the area has a low probability for archaeological resources. FEMA has determined that there is No Historic Properties Affected as a result of the proposed undertaking. SHPO concurrence with this determination was received September 16, 2009.

3.5.2 Tribal Consultations

Consultation with Choctaw Nation of Oklahoma was conducted in accordance with the Programmatic Agreement dated August 17, 2009. Additionally, consultation with the Jena Band of Choctaw Indians, Coushatta Tribe of Louisiana, Tunica-Biloxi Tribe of Louisiana, and Mississippi Band of Choctaw Indians was conducted pursuant to 36 CFR §800.2(c)(2)(i)(B). Choctaw Nation of Oklahoma concurrence with this determination was received October 15, 2009. FEMA has not received a response within thirty (30) days of receipt for the remaining tribes and therefore may proceed with funding under 36 CFR § 800.3(c)(4). The applicant must comply with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) and the Inadvertent Discovery Clause, which can be found under the Environmental Review NHPA conditions. Any change to the approved scope of work will require reevaluation under Section 106.

3.6 Air Quality

The Clean Air Act (CAA) provides for federal protection of air quality by regulating air pollutant sources and setting emissions standards for certain air pollutants. Under CAA, states adopt ambient air quality standards in order to protect the public from potentially harmful amounts of pollutants. The United States Environmental Protection Agency (EPA) has designated specific areas as National Ambient Air Quality Standards (NAAQS) attainment or non-attainment areas. Non-attainment areas are any areas that do not meet the air quality standard for a pollutant, while attainment areas do meet ambient air quality standards. According to the EPA, Cameron Parish is an attainment area (EPA 2006).

Alternative 1- No Action:

The No Action alternative would have no effect on air quality.

Alternative 2 – Proposed Action (Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility):

Particulate emissions from the generation of fugitive dust during project construction would be increased temporarily in the immediate project area as a result of this alternative. Other emission sources on site would be diesel engines and other heavy construction equipment. These effects would be localized and of short duration.

To reduce potential short term effects to air quality from construction related activities, the contractor should be responsible for using BMPs to reduce fugitive dust generation and diesel emissions.

3.7 Noise

Noise is generally described as unwanted sound and is regulated by the Noise Control Act of 1972. The closest noise receptor is a residence approximately fifty (50) feet from the project site. 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.

The town of Bell City's local noise ordinance states that no person shall make, continue, or cause to be made or continued any loud, unnecessary or excessive noise which unreasonably interferes with the comfort and repose of others within the parish with the exception of the following:

- (1) Domestic power tools, lawn mowers, and agricultural equipment, when operated with a muffler, between the hours of 7:00 a.m. to 9:00 p.m. on weekdays and Saturday, and 8:00 a.m. to 9:00 p.m. on Sundays and holiday,
- (2) noises resulting from any authorized emergency vehicles when responding to an emergency,
- (3) noises made by persons having obtained a permit,
- (4) any noise resulting from activities of temporary duration, for which a permit has been granted pursuant to this article, and which conforms to the conditions and limits stated thereon.

Alternative 1 - No Action:

The No Action alternative would have no effect on noise levels in the associated area.

Alternative 2 – Proposed Action (Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility):

Construction of the Jefferson Davis Electric Cooperative - Cameron Service Facility would result in an increase in noise as a result of construction equipment and vehicular activity. There are no noise sensitive receptors (i.e. hospitals, schools, churches) in or adjacent to the project area.

Although the proposed action would result in increased noise during construction, the noise is expected to be minor and short term. The contractor would be required to follow the local noise ordinances for Bell City/Cameron Parish as stated above.

3.8 Traffic and Safety

The proposed site is located at the intersection of Louisiana Highway 27 and Louisiana Highway 384. The speed limit is a maximum of fifty-five (55) miles per hour on both of these roadways.

Alternative 1- No Action:

The No Action alternative would have no effect on traffic.

Alternative 2 – Proposed Action (Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility):

Construction at the proposed project site would have a temporary effect on traffic by increasing the number of heavy machinery vehicles on Louisiana Highway 27 and Louisiana Highway 384. The contractor must pose appropriate signage and fencing to minimize potential adverse public safety concerns to alert pedestrians and motorists of project activity and traffic pattern changes. Construction traffic should be closely monitored and controlled as appropriate. All construction activities should be conducted in a safe manner in accordance with Occupational Safety and Health Act (OSHA) requirements.

Project implementation would result in a temporary impact and no significant permanent increase in traffic on Louisiana Highway 27 and Louisiana Highway 384.

Safety and security issues that were considered include the health and safety of area residents, the public at-large, the population that would be served by the new Jefferson Davis Electric Cooperative - Cameron Service Facility, and the protection of personnel involved in activities related to implementation of the proposed project.

3.9 Hazardous Materials

The management of hazardous materials is regulated under various federal and state environmental and transportation laws and regulations, including the Resource Conservation and Recovery Act (RCRA); the Comprehensive Environmental Response, Compensation, and Liability Act; the Emergency Response and Community Right-to-Know Act; the Hazardous Materials Transportation Act; and the Louisiana Voluntary Investigation and Remedial Action statute. The purpose of the regulatory requirements set forth under these laws is to ensure the protection of human health and the environment through proper management (identification, use, storage, treatment, transport, and disposal) of these materials. Some of these laws provide for the investigation and cleanup of sites that have already been contaminated by releases of hazardous materials, wastes, or substances.

A database search prepared on October 27, 2009 for the proposed project site indicated that there are no Louisiana Volunteer Remedial Program (VRP) or Brownfield sites located on or within the proposed site. No sites of concern were found during a review of other hazardous waste management and disposal, solid waste disposal, storage tank, enforcement, and other databases for various distances from the site. There are no recorded oil and gas wells or mineral lease sites on the proposed property. The nearest oil/gas well, oil field, or mineral lease tract is located approximately 0.4 mile away.

A search of the LDEQ Electronic Document Management System (EDMS) database revealed no obvious sites of concern in the proposed project area.

Alternative 1- No Action:

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

Alternative 2 – Proposed Action (Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility):

Findings indicate that no hazardous materials, wastes, or substances (including contaminated soil or groundwater) appear to be present at the proposed site. If hazardous constituents are encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination should be initiated in accordance with applicable federal, state, and local regulations.

The contractor is required to take appropriate measures to prevent, minimize, and control spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated must be disposed of in accordance with applicable federal, state, and local requirements.

4.10 Environmental Justice

Executive Order 12898, entitled “Federal Action 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 2005 - 2009 U.S. Census, 64.0 percent of the population of the Town of Bell City/Cameron Parish is Caucasian, 31.9 percent is African American, and 1.4 percent is Asian. The median family income in 2009 was \$52,306.00, and 14.2 percent of families earn below the poverty level.

Alternative 1- No Action:

The No Action alternative would not have an adverse or disproportionate impact on minority or low-income populations.

Alternative 2 – Proposed Action (Construction of a new Jefferson Davis Electric Cooperative - Cameron Service Facility):

Construction of the new Jefferson Davis Electric Cooperative – Cameron Service Facility would not have adverse or disproportionate impacts on low-income or minority populations. The proposed project is a public facility that will provide services to residents.

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 non-federal) 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 project, would be expected to have a cumulative impact on the human and natural environment.

5.0 CONDITIONS AND MITIGATION MEASURES

Based upon the studies and consultations undertaken in the preparation of this EA, there are numerous conditions and mitigating measures that must be adhered to by the applicant prior to/during the proposed implementation of this relocation project. They are as follows:

- The proposed project should be coordinated with the local floodplain administrator regarding floodplain permit(s). Elevations should be in compliance with DFIRM maps dated March 2006. Elevation information, signed and sealed by a licensed surveyor, engineer, or architect should be obtained and filed for verification of compliance. All permits and certificates, and all coordination pertaining to these permit(s), should be documented and provided to the local floodplain administrator, Louisiana GOHSEP, and FEMA as part of the permanent project file.
- If during the course of construction, unanticipated archaeological artifacts (prehistoric or historic) or human remains are discovered, the applicant must immediately stop work within 100 feet of the discovery and take all reasonable measures to avoid and minimize harm to the finds. The applicant will inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation staff. The applicant cannot proceed with work until FEMA Historic Preservation staff has completed consultation with the Louisiana State Historic Preservation Officer (SHPO) and Native American Tribal Representative, as appropriate. In addition, if unmarked graves are discovered, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant must notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four (24) hours of the discovery. The applicant must also notify FEMA and the Louisiana Division of Archaeology by calling 225-342-8170 within seventy-two (72) hours of the discovery. Work must not begin within the area of discovery until the cultural affiliation of the remains and their ultimate disposition are determined in consultation with FEMA, SHPO, and Native American Tribal Representatives, and other interested parties.
- 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 should be initiated in accordance with applicable federal, state, and local regulations.

- Appropriate measures to prevent, minimize, and control spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated should be disposed of in accordance with applicable federal, state, and local requirements.
- The applicant must maintain the activity authorized by the USACE permit in good standing and in conformance with the terms and conditions of the permit. The applicant is not relieved of this requirement if they abandon the permitted activity. If the applicant should sell the property associated with the USACE permit, they must obtain the signature of the new owner in the space provided on the permit and forward a copy to the USACE to validate the transfer of this authorization. Should the applicant wish to cease to maintain the authorized activity or should they wish to abandon it without a good faith transfer, they must obtain a modification of the permit from USACE, which may require restoration of the area.
- The time limit for completing the work authorized ends on July 31, 2015. If the applicant finds that they need more time to complete the authorized activity, they must submit a request for a time extension to the USACE office for consideration at least one (1) month before the above date is reached.
- If the applicant discovers any previously unknown historic or archaeological remains while accomplishing the activity authorized by the USACE permit, they must immediately notify USACE of their findings who will, in turn, initiate the federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing on the National Register of Historic Places.
- If a conditioned water quality certification has been issued for this project, the applicant must comply with the conditions specified in the certification as special conditions to the USACE permit.
- A copy of page 1 of the USACE permit (ENG 1721) must be conspicuously displayed at the project site. The applicant must keep a copy of the signed permit at the project site until the work is completed. In addition, the applicant must allow USACE representatives to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of the USACE permit. The applicant must notify the District Engineer, Attention: Western Evaluation Section, in writing prior to commencement of work and also upon its completion. The notification must include the permittee's (applicant) name, as shown on the permit, and the permit number. Please note the expiration date on the permit. Should the project not be completed by that date, the applicant may request a permit time extension. Such requests must be received before, but no sooner than six (6) months before, the permit expiration date and must show the work completed and the reason the project was not finished within the time period granted by the permit. In order to have the work approved in accordance with the issued permit, all terms and conditions of the permit and plans shown on the drawings must be rigidly adhered to.

- Issuance of the USACE permit confirms that USACE, New Orleans District, Regulatory Branch has been provided with notification from Resource Environmental Solutions, LLC that the permittee (applicant) has contracted on 1.5 acres of bottomland hardwood habitat at the Grand Canard Mitigation Bank. Third Louisiana Resource, LLC has assumed responsibility for completing the mitigation in accordance with the Grand Canard Mitigation Banking Instrument and has recorded the allocation of the mitigation required by the permit in the Regional Internet Bank Information Tracking System (RIBITS).
- Many local governing bodies have instituted laws and/or ordinances in order to regulate dredge and/or fill activities in floodplains to assure maintenance of floodwater storage capacity and avoid disruption of drainage patterns that may affect surrounding properties. This project involves dredging and/or placing of fill; therefore, the applicant must contact the local municipal and/or parish governing body regarding potential impacts to floodplains and compliance of the projects proposed activities with local floodplain ordinances, regulations, or permits.
- Any excavated and/or fill material deposited into wetlands shall be, to the best of the applicants knowledge, free of pollutants, contaminants, toxic materials, trash, and other waste materials.

6.0 PUBLIC INVOLVEMENT

FEMA is inviting the public to comment on the proposed action during a fifteen (15) day comment period. A public notice has been published in the local Cameron Parish Pilot newspaper, announcing the availability of this EA for review at the Cameron Parish Library facility located at 459 Marshall Street Cameron, Louisiana 70631.

7.0 AGENCY COORDINATION

As part of the development of early interagency coordination related to the proposed action (i.e. construction of a Jefferson Davis Electric Cooperative - Cameron Service Facility in a new, undeveloped location), state and federal resource protection agencies were contacted. These agencies include State Historic Preservation Officer, United States Fish and Wildlife Service, United States Department of Agriculture, Natural Resources Conservation Service, the Governor's Office of Homeland Security and Emergency Preparedness, Louisiana Department of Environmental Quality, United States Environmental Protection Agency, Louisiana Department of Natural Resources, and United States Army Corps of Engineers.

8.0 CONCLUSION

Based upon the studies and consultations undertaken in the preparation of this EA, and given the precautionary and mitigating measures, there do not appear to be any significant environmental impacts associated with the construction of a Jefferson Davis Electric Cooperative - Cameron Service Facility in the proposed location.

9.0 LIST OF PREPARERS

LeSchina Holmes – Environmental Specialist, FEMA LRO
Tiffany Spann-Winfield – Deputy Environmental Liaison Officer (DELO), FEMA LRO
Alan Johnson – Floodplain Specialist, FEMA LRO Contractor
Daphne Owens – Historic Preservation Specialist
Catherine Dluzak – Historic Preservation Specialist

REFERENCES

- Environmental Protection Agency. 2006. Nonattainment Status for each Parish by year. [Online] Available: <http://www.epa.gov/oar/oaqps/greenbk/anay.html>
- Federal Emergency Management Agency. Map Service Center. [Online] Available: http://www.msc.fema.gov/webapp/wcs/stores/servlet/Fema_WelcomeView?storeId=10001&catalogId=10001&langId=-1
- Geology.com. Louisiana Geology Data. [Online] Available: <http://geology.com/states/louisiana.shtml>
- Louisiana Department of Environmental Quality. Air quality data . [Online] Available: <http://www.deq.louisiana.gov/portal/tabid/37/Default.aspx?Search =non-attainment+areas>
- Louisiana Department of Natural Resources. Coastal Zone Management Act. [Online] Available: <http://dnr.louisiana.gov/crm/coastmgt/coastmgt.asp>
- Louisiana State University. Louisiana Coastal Law. [Online] Available: http://www.lsu.edu/slegal/pdfs/lcl_30.pdf
- Louisiana State University. Louisiana Geological Survey. [Online] Available: <http://www.lgs.lsu.edu/>
- National Oceanic and Atmospheric Administration. Coastal Barrier Resources Act. [Online] Available: http://www.csc.noaa.gov/cmfp/reference/Coastal_Barrier_Resources_Act.htm
- Natural Resources Conservation Services. Web Soil Survey. [Online] Available: <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>
- U.S. Census Bureau. 2005 - 2009 Census Data. [Online] Available: <http://factfinder.census.gov/home/saff/main.html>
- U.S. Department of Agriculture, Natural Resources Conservation Service, In cooperation with Louisiana Agriculture Experiment Station and Louisiana Soil and Water Conservation Committee. 1996. Soil Survey of Cameron Parish, Louisiana.
- U.S. Fish and Wildlife Service. Endangered Species Data. [Online] Available: <http://www.fws.gov/endangered/wildlife/htm>

DRAFT

SITE PHOTOGRAPHS

DRAFT



Picture 1 - Temporary Building on Proposed Site



Picture 2 - Proposed Site Hwy 27 Facing South



Picture 3 - Proposed Site Intersection of Hwy 384 and Hwy 27 SW corner facing NE



Picture 4 - Proposed Site Facing North

APPENDICES

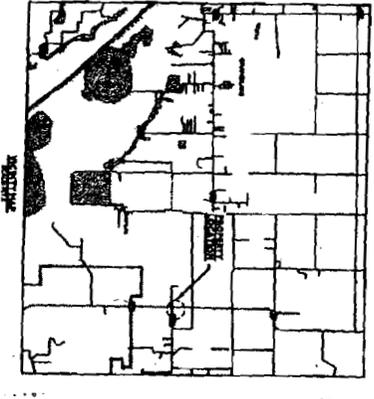
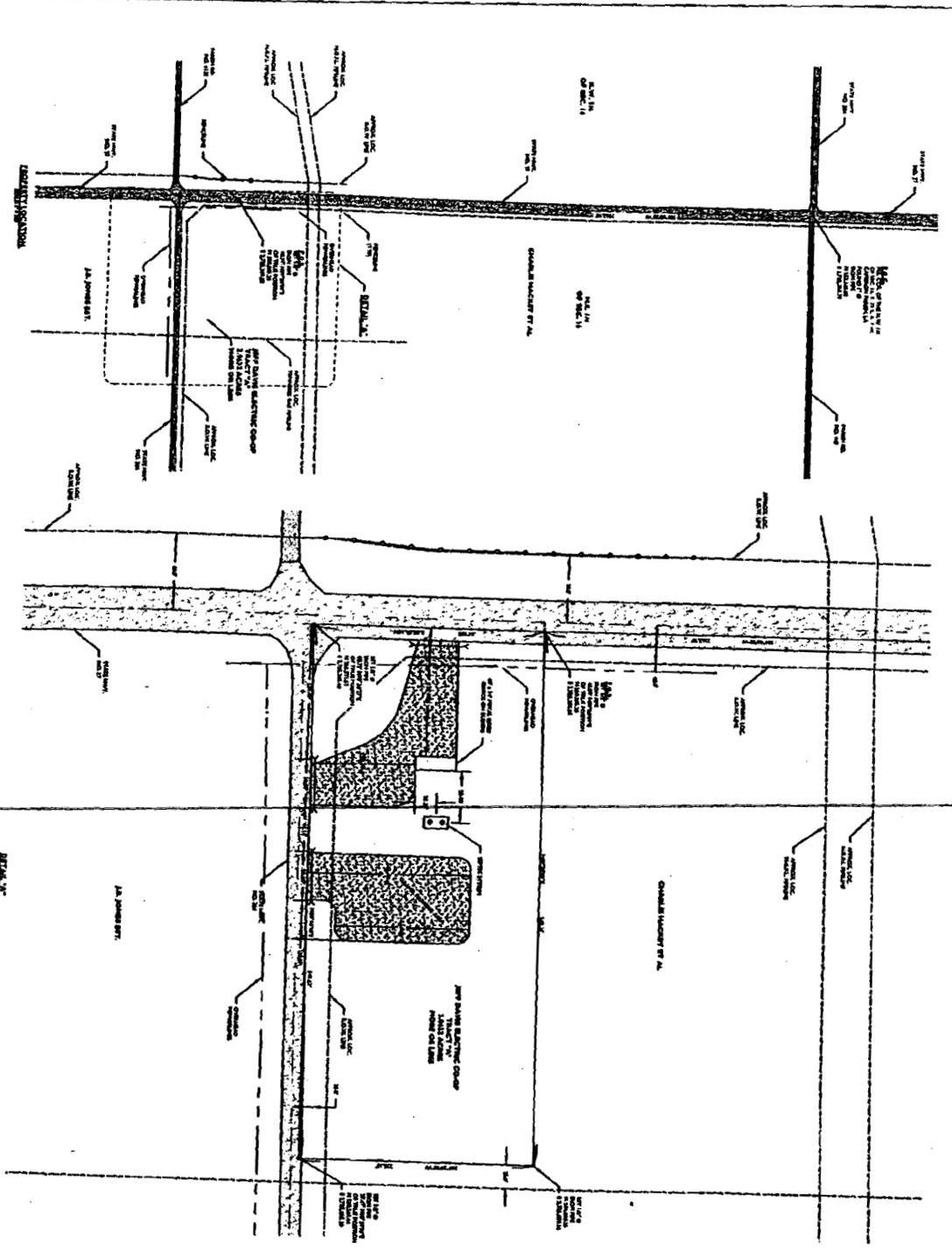
DRAFT

LONNIE G. HARPER and Associates, Inc.
 CIVIL ENGINEERING AND LAND SURVEYING
 P. O. Box 129, Grand Center, Louisville, TN 40413
 PHONE: (615) 518-2874 FAX: (615) 518-2316

JEFF DAVIS ELECTRIC CO-OP
SURVEY OF PROPERTY TO BE ACQUIRED
IN THE SWEET LAKE AREA

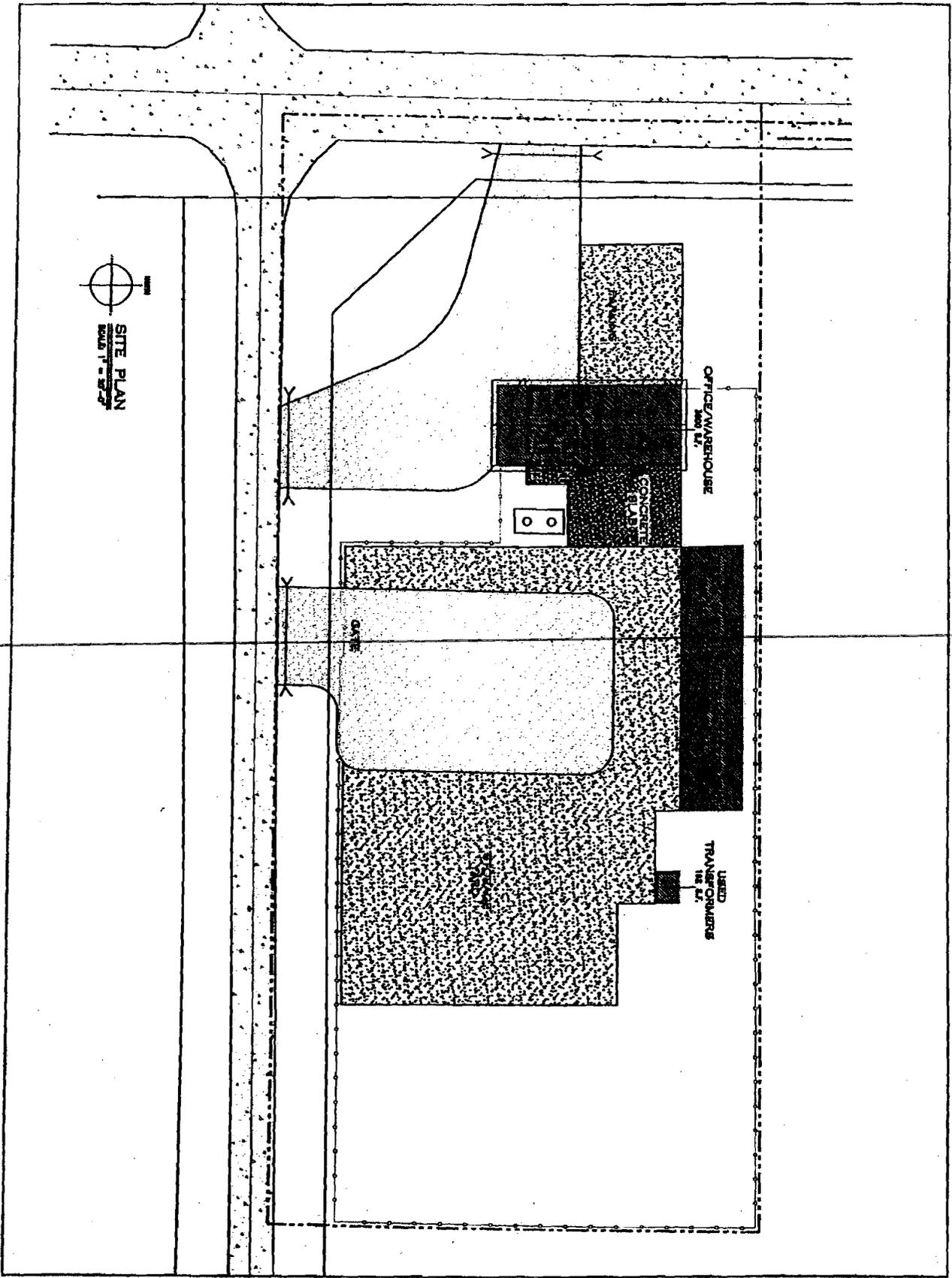
NO.	DATE	DESCRIPTION

SURVEY PLAT	
PROJECT NO.	DATE
AS NOTED	1/20/88
SCALE	1" = 100'



LEGAL DESCRIPTIONS
 1. The area shown on this plat is the property of the Jeff Davis Electric Co-op, a Tennessee corporation, and is being surveyed for the purpose of showing the location of the Sweet Lake Area.

GENERAL NOTES
 1. The survey was made by the method of angles and distances.




 SITE PLAN
 SCALE 1" = 20'

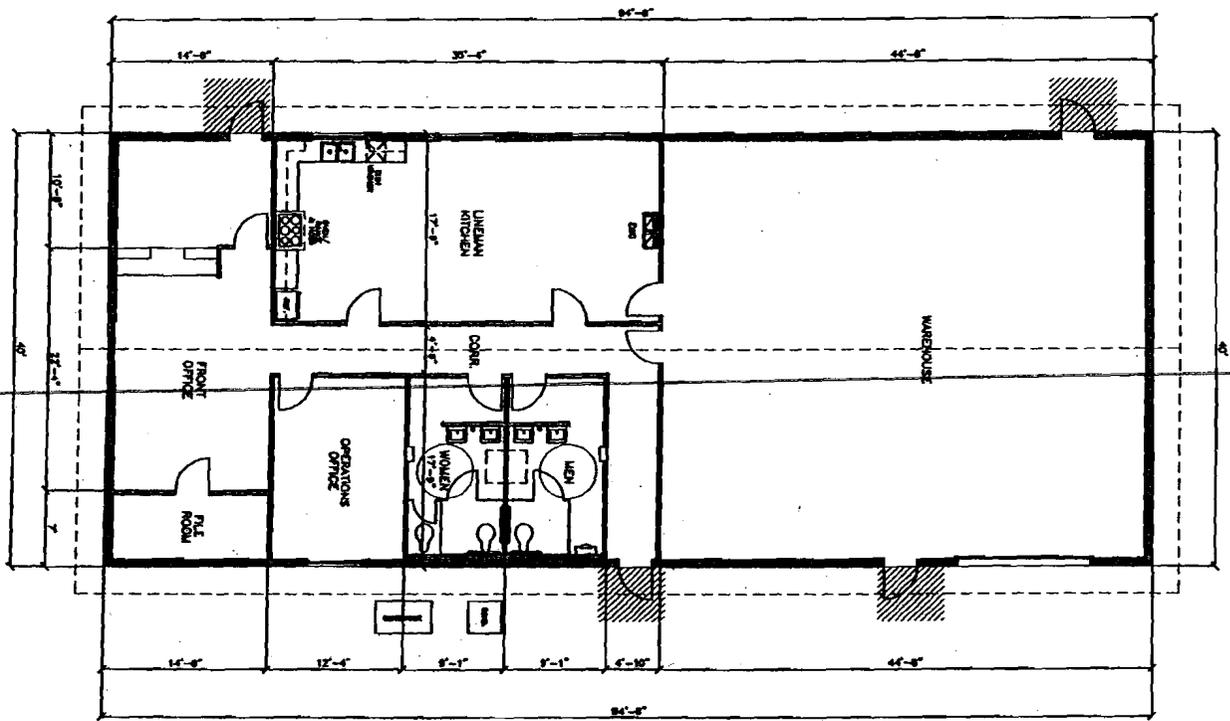
OFFICE/WAREHOUSE
 140 S.F.

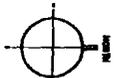
CONCRETE
 FLOOR

GATE

USED
 TRANSDUCERS
 10 S.F.

A <small>SHEET</small>	A NEW FACILITY FOR JEFFERSON DAVIS ELECTRIC CO-OP, INC.	 Moss Architects, Inc. A Professional Corporation <small>DENNIS H. MOSS, ARCHITECT MICHAEL A. STOKES, ARCHITECT</small>	<small>DATE 10 MAY, 2002</small>
	<small>837 MARSHALL STREET CAMERON, LOUISIANA 70521</small> SITE PLAN		





 NORTH

 FLOOR PLAN

 SCALE 3/16" = 1'-0"

A2

A NEW FACILITY FOR
 JEFFERSON DAVIS ELECTRIC COOP, INC.

637 MARSHALL STREET
 CAMERON, LOUISIANA 70631
 FLOOR PLAN


Moss Architects, Inc.
 A Professional Corporation
 DAVID H. MOSS, AIA, ARCHITECT
 RICHARD A. STEEN, NAA, ARCHITECT
 3221 RYAN ST. MEMPHIS, TN

DATE
 24 APRIL 63



Building Strong for America



US Army Corps of Engineers®

We would appreciate you taking a minute to answer these 5 questions about your experience with our Regulatory Program. The information will be used to help us improve our processes and our customer service. Thank you!

Please rate on a 1-5 scale, 5=High Satisfaction, 3=Average, 1=Low Satisfaction (circle below)

- 1. Did the Corps representative act professionally and treat you with courtesy? 1 2 3 4 5 N/A
- 2. Did the Corps provide sufficient information to allow you to complete an application form, comment on public notice, or otherwise evaluate our work? 1 2 3 4 5 N/A
- 3. Did the Corps respond to your letters and telephone calls in a reasonable amount of time? 1 2 3 4 5 N/A
- 4. Did the Corps representative answer your questions clearly, giving you accurate information about our Regulatory Program? 1 2 3 4 5 N/A
- 5. What is your OVERALL rating of the level of service provided by the Corps of Engineers Regulatory Program? 1 2 3 4 5 N/A

Other comments are welcome:

MVN-2010-00723-UNN SP GP NWP LOP NPR JPR

Jefferson Davis Co. Corp. Inc JUL 19 2010



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P. O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

JUL 19 2010

Operations Division
Western Evaluation Section

SUBJECT: MVN-2010-00723-WNN

Jefferson Davis Electric Cooperative, Inc.
Attn: Mr. Dwayne Gary
815 LA Highway 27
Bell City, Louisiana 70630

Dear Mr. Gary:

Enclosed is a permit dated this date, subject as above, authorizing work under the Department of the Army permit program.

You are again reminded that any work not in accordance with the approved plans is subject to removal regardless of the expense and the inconvenience that such removal may involve and regardless of the date when the discrepancy is discovered.

Your attention is directed to all the terms and conditions of the approval. In order to have the work approved in accordance with the issued permit, all terms and conditions of the permit and plans shown on the drawings attached thereto must be rigidly adhered to.

It is necessary that you notify the District Engineer, Attention: Western Evaluation Section, in writing, prior to commencement of work and also upon its completion. The notification must include the permittee's name, as shown on the permit, and the permit number. Please note the expiration date on the permit. Should the project not be completed by that date, you may request a permit time extension. Such requests must be received before, but no sooner than six months before, the permit expiration date and must show the work completed and the reason the project was not finished within the time period granted by the permit.

A copy of Page 1 of the permit (ENG Form 1721) must be conspicuously displayed at the project site. Also, you must keep a copy of the signed permit at the project site until the work is completed.

The New Orleans District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the attached Customer Service Survey and return it in the envelope provided or go to the survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

Ronnie W. Duke
Chief, Western Evaluation Section

Enclosure

RECEIPT FOR COLLECTION VOUCHER

DATE: 7/16/10

RECEIVED FROM: Jefferson Davis Electric Cooperative Inc

THE SUM OF One Hundred DOLLARS AND 00 CENTS

(\$ 100.00) FOR THE FOLLOWING:

PERMITTEE

Jefferson Davis Electric Co-op.

PERMIT NUMBER:

MVA 800-88723-UNN

CHECK NUMBER:

22283

DATED:

7/13/10

TOTAL AMOUNT:

100.00

RECEIVED BY [Signature]
OFFICE AUTOMATION CLERK

7/16/10
Date



DEPARTMENT OF THE ARMY PERMIT

Permittee: Jefferson Davis Electric Cooperative, Inc.

Permit No. MVN-2010-00723-WNN

Issuing Office: New Orleans District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Prepare site conditions for construction of office facilities to provide customer service, in accordance with drawings attached in six sheets dated March 5, 2010.

Project Location: Latitude 30° 00' 09.5" N, Longitude 93° 05' 15.9" W, in Cameron Parish, at 815 LA Highway 27, Bell City, Louisiana 70630.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on **JULY 31, 2015**. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions: Page 4

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
 - () Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
 - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
 - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
 - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
 - d. Design or construction deficiencies associated with the permitted work.

- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. **Reliance on Applicant's Data:** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. **Reevaluation of Permit Decision.** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
- a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions.** General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

x *Michael J. Stevin* x 7-13-2010
 (PERMITTEE) (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Ronnie W. Duke July 19, 2010
 Ronnie W. Duke, Chief Western Evaluation Section (DATE)

for Alvin B. Lee, District Commander

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

 (TRANSFEREE) (DATE)

SPECIAL CONDITIONS: MVN-2010-00723-WNN

7. Issuance of this permit confirms that the U. Army Corps of Engineers, New Orleans District, Regulatory Branch has been provided with written notification from Resource Environmental Solutions, LLC that the permittee has contracted for 1.5-acres of bottomland hardwood habitat at the Grand Canard Mitigation Bank. Third Louisiana Resource, LLC has assumed responsibility for completing the mitigation in accordance with the Grand Canard Mitigation Banking Instrument and has recorded the allocation of the mitigation required by this permit in the Regional Internet Bank Information Tracking System (RIBITS).

8. Many local governing bodies have instituted laws and/or ordinances in order to regulate dredge and/or fill activities in floodplains to assure maintenance of floodwater storage capacity and avoid disruption of drainage patterns that may affect surrounding properties. Your project involves dredging and/or placement of fill; therefore, you must contact the local municipal and/or parish governing body regarding potential impacts to floodplains and compliance of your proposed activities with local floodplain ordinances, regulations, or permits.

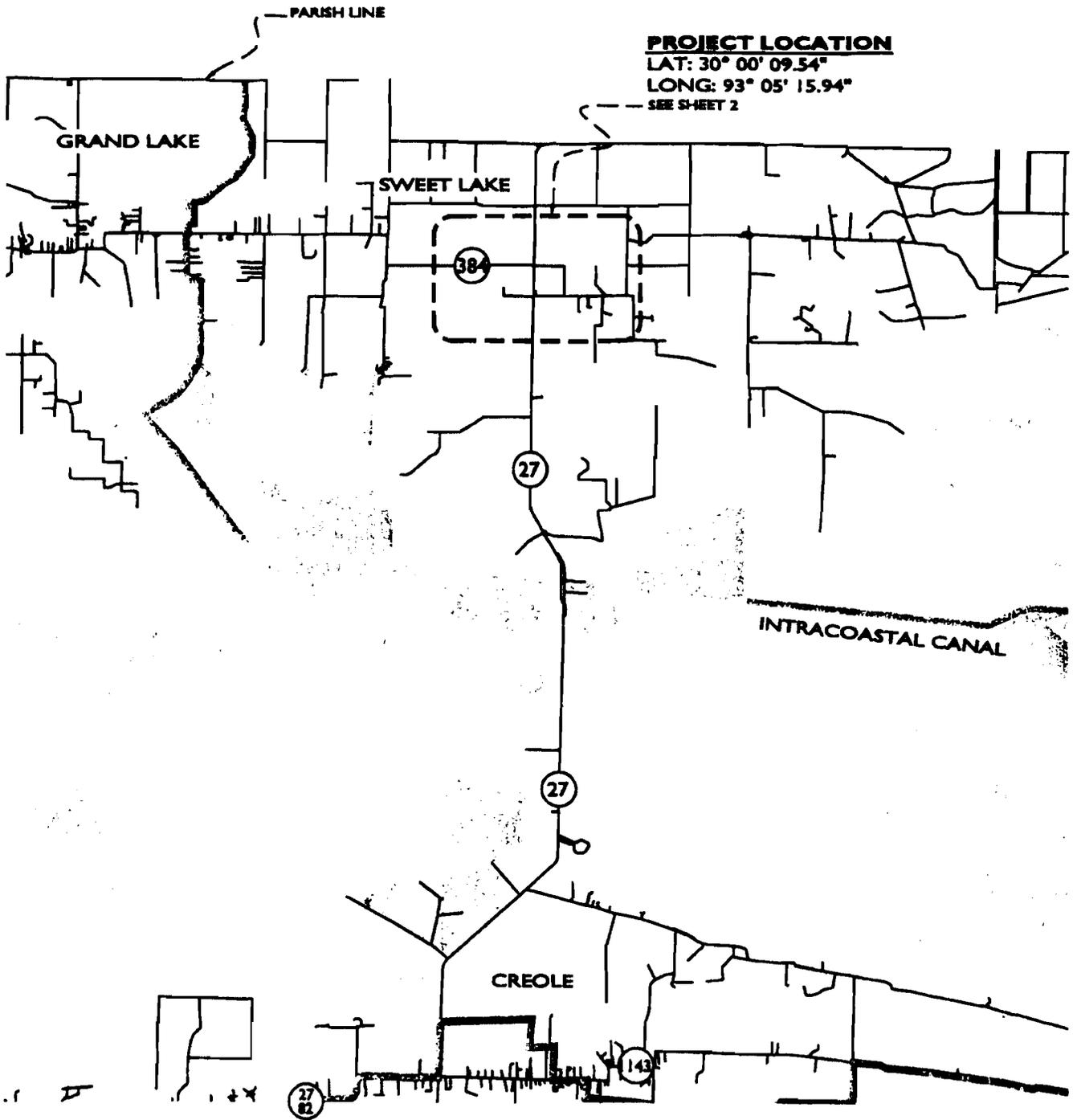
9. Any excavated and/or fill material deposited into wetlands shall be, to the best of your knowledge, free of pollutants, contaminants, toxic materials, trash, and other waste materials.

NOTE: THESE DRAWINGS ARE TO BE USED EXCLUSIVELY FOR ACQUISITION OF REGULATORY PERMITS.

REVISED:

CAMERON PARISH, LOUISIANA

SHEET 1 OF 6



PREPARED BY:



LONNIE G. HARPER
and Associates, Inc.

2741 Hwy. No. 304, Ball City, LA 70622
PHONE: (504) 792-1877 FAX: (504) 792-1878

AFTER THE FACT PERMIT APPLICATION PROPOSED AGGREGATED FILL IN THE SWEETLAKE AREA SEC16 TS12S R7W

APPLICATION BY: JEFF DAVIS ELECTRIC CO-OP
DATE: 03/05/2010 815 HWY 27
RIE CITY, LOUISIANA 70631

VICINITY MAP

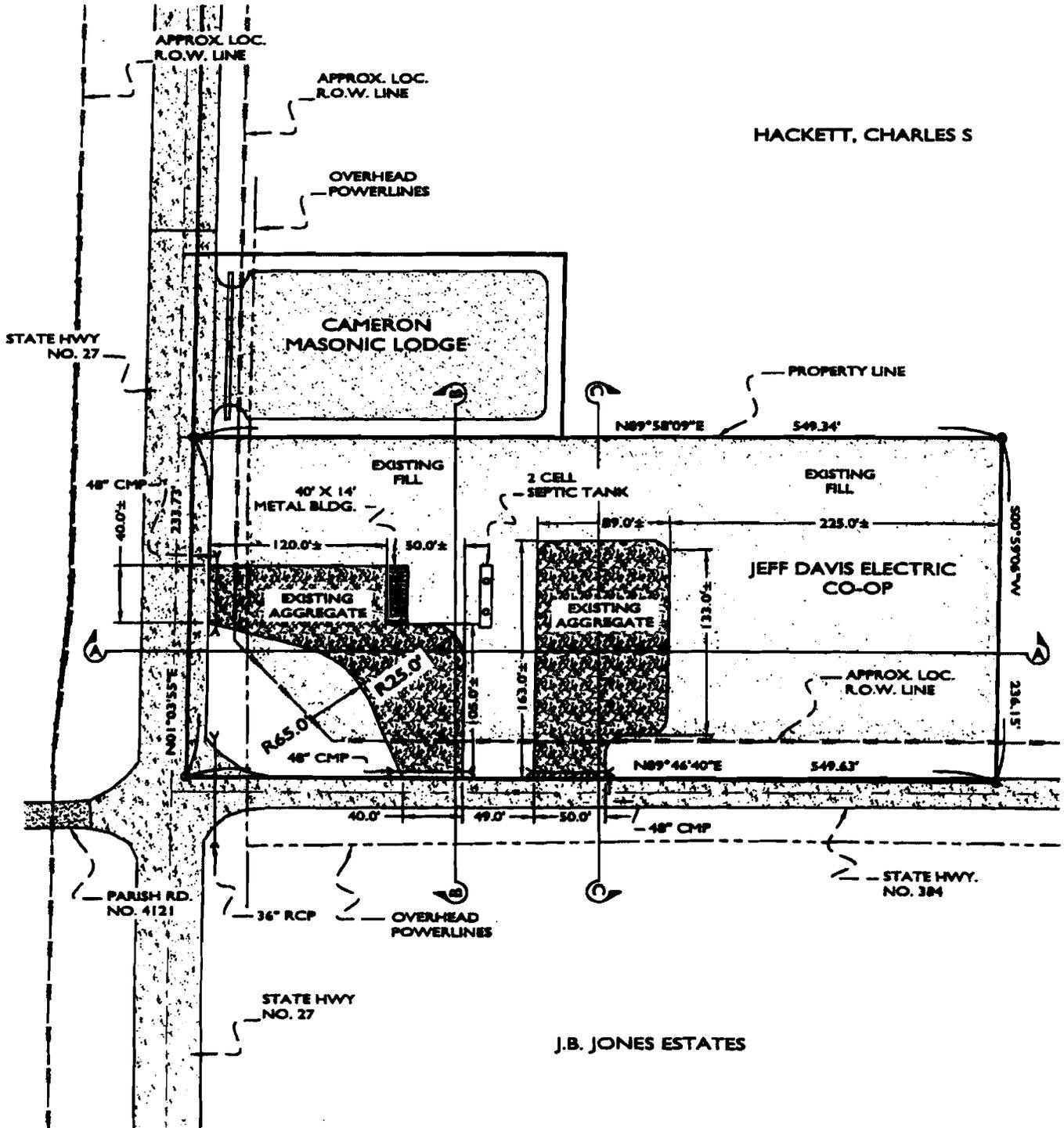
0 13,000'
SCALE IN FEET

NOTE: THESE DRAWINGS ARE TO BE USED EXCLUSIVELY FOR ACQUISITION OF REGULATORY PERMITS.

REVISED:

CAMERON PARISH, LOUISIANA

SHEET 2 OF 6



PREPARED BY:



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AFTER THE FACT PERMIT APPLICATION PROPOSED AGGREGATED FILL IN THE SWEETLAKE AREA SEC16 TS12S R7W

APPLICATION BY: JEFF DAVIS ELECTRIC CO-OP
DATE: 03/05/2010 815 HWY 27
SULPHUR CITY, LOUISIANA 70661

EXISTING SITE

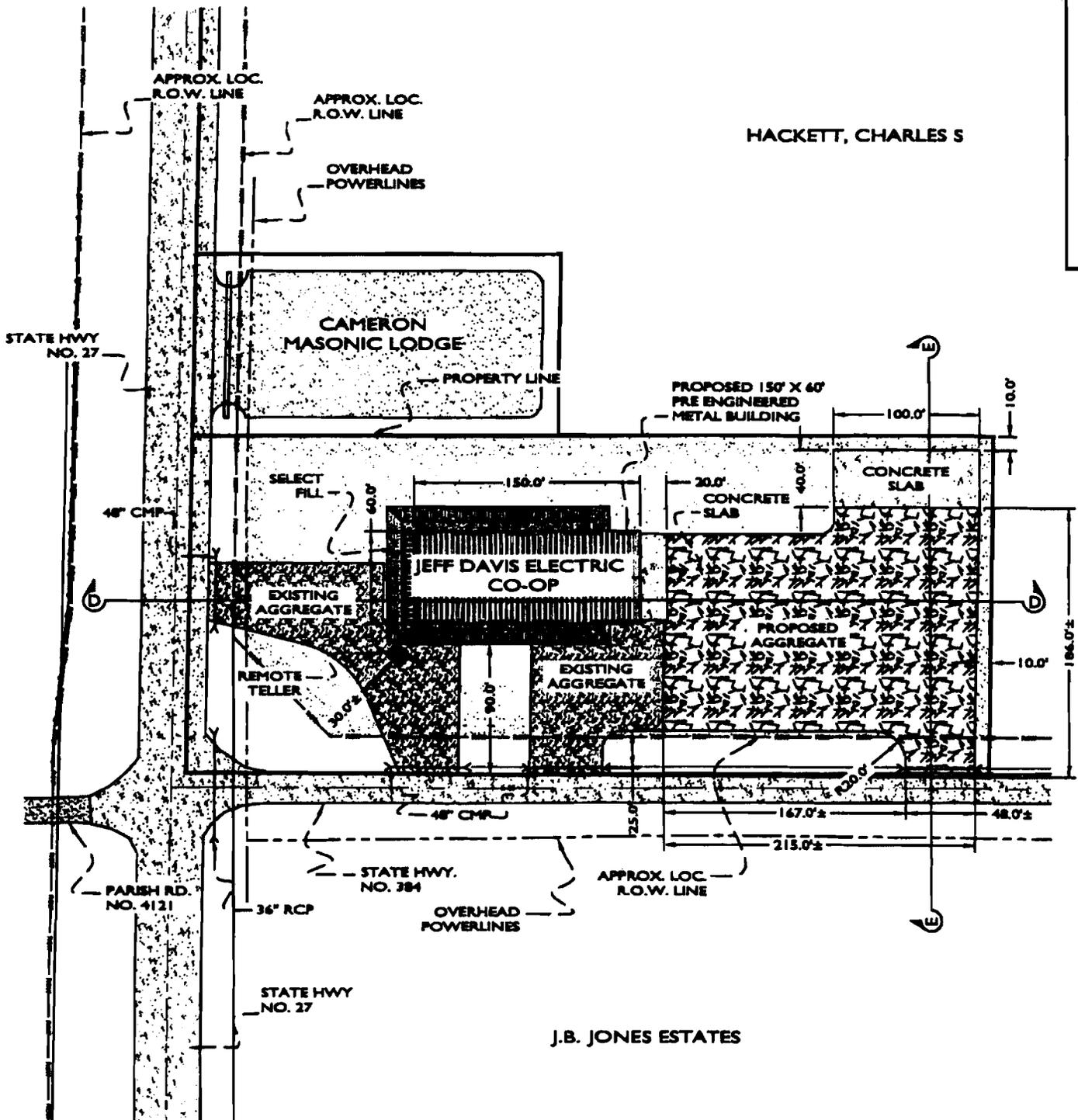
0 100'
SCALE IN FEET

NOTE: THESE DRAWINGS ARE TO BE USED EXCLUSIVELY FOR ACQUISITION OF REGULATORY PERMITS.

REVISED:

CAMERON PARISH, LOUISIANA

SHEET 3 OF 6



PREPARED BY:



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AFTER THE FACT PERMIT APPLICATION PROPOSED AGGREGATED FILL IN THE SWEETLAKE AREA SEC 16 TS 12S R7W

APPLICATION BY: JEFF DAVIS ELECTRIC CO-OP
DATE: 03/05/2010 815 HWY 27

PROPOSED SITE

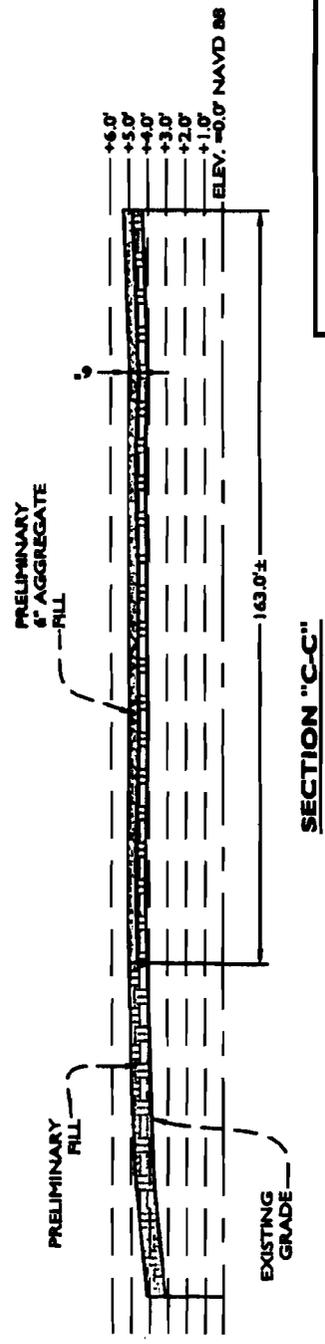
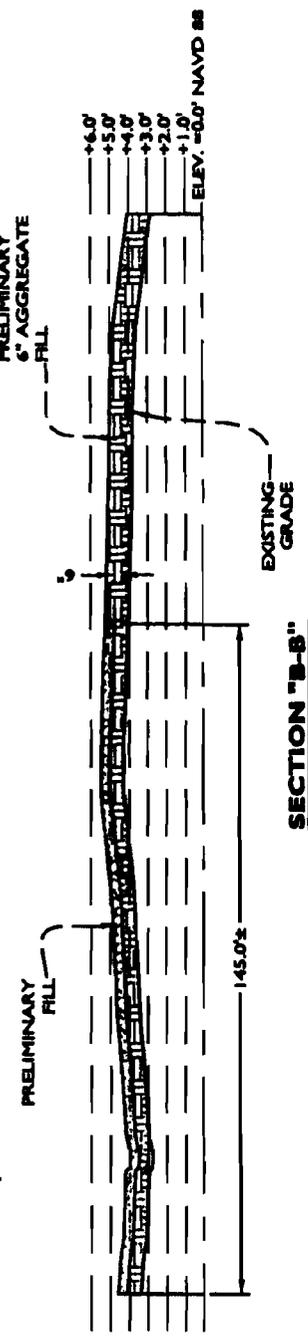
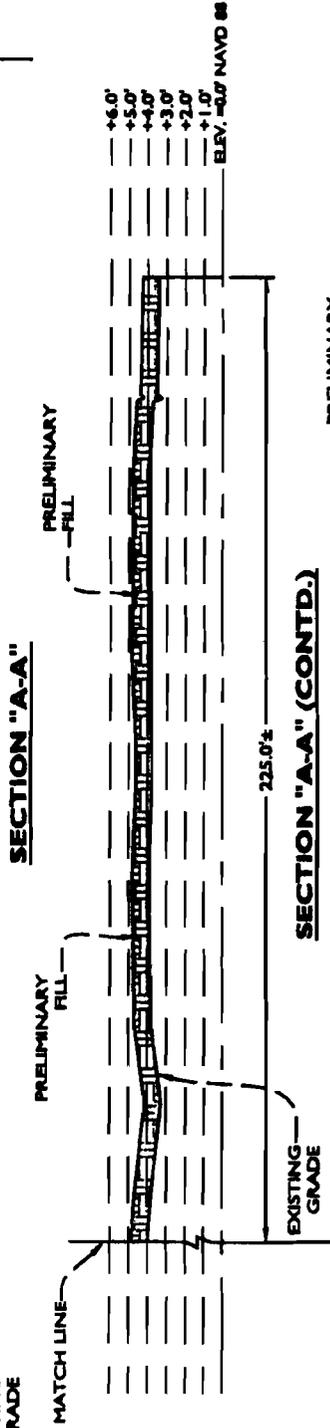
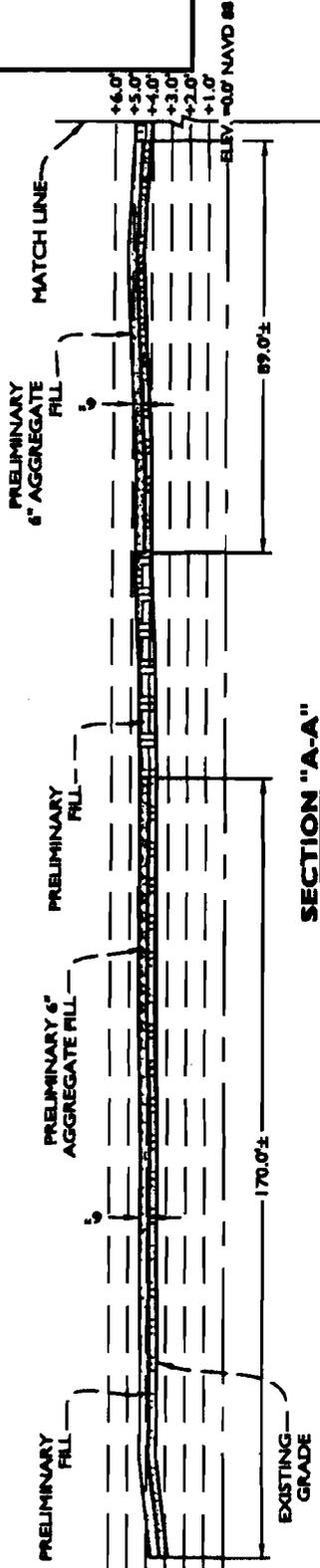
0 100'
SCALE IN FEET

NOTE: THESE DRAWINGS ARE TO BE USED EXCLUSIVELY FOR ACQUISITION OF REGULATORY PERMITS.

REVISED:

CAMERON PARISH, LOUISIANA

SHEET 4 OF 6



PREPARED BY:



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AFTER THE FACT PERMIT APPLICATION
PROPOSED AGGREGATED FILL
IN THE SWEETLAKE AREA SEC 16 TS 12S R7W

APPLICATION BY: JEFF DAVIS ELECTRIC CO-OP
DATE: 03/05/2010 815 HWY 27

TEMPORARY
PROFILE VIEWS

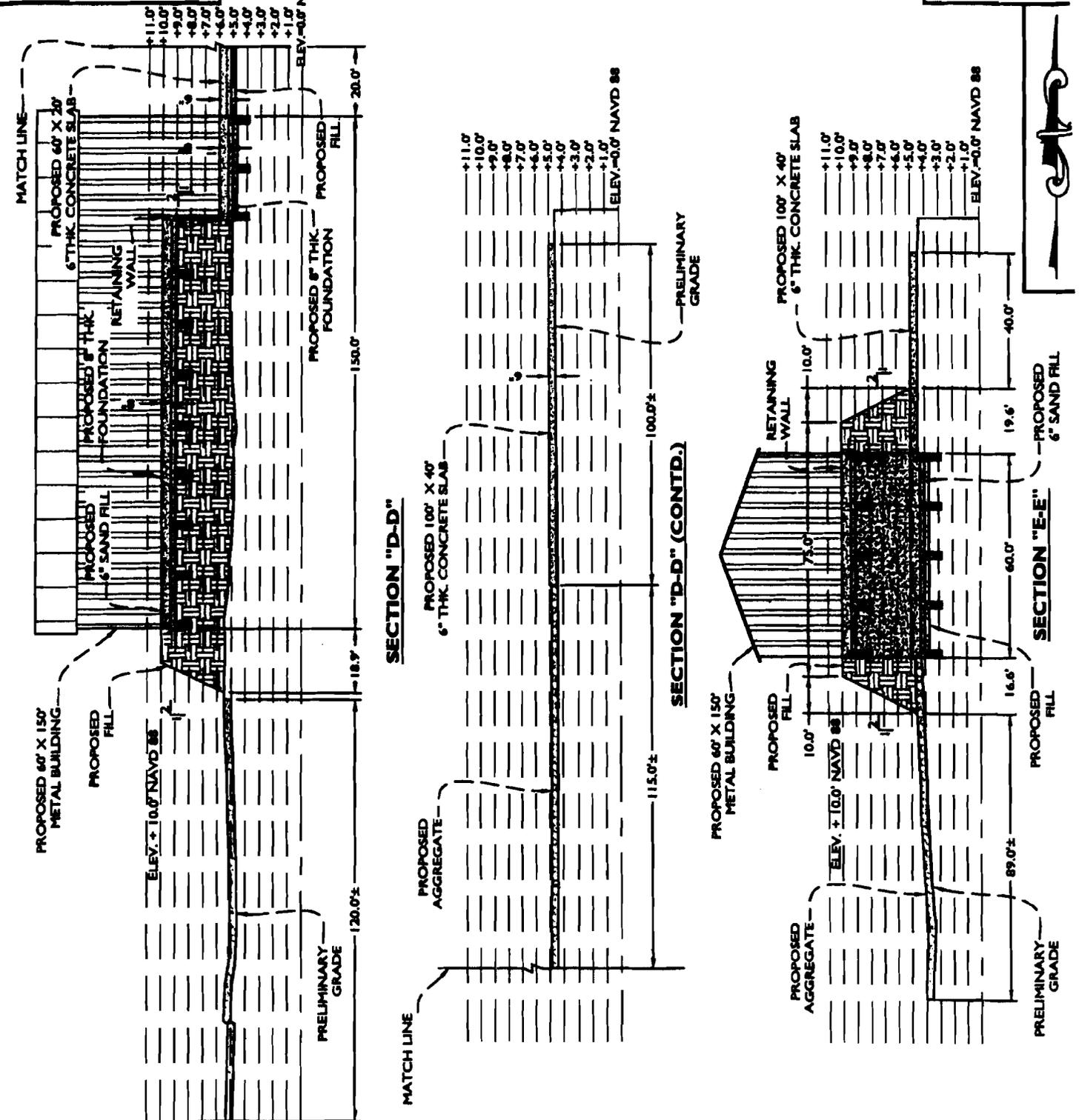
HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 10'

NOTE: THESE DRAWINGS ARE TO BE USED EXCLUSIVELY FOR ACQUISITION OF REGULATORY PERMITS.

REVISED:

CAMERON PARISH, LOUISIANA

SHEET 5 OF 6



PREPARED BY:



Lonnie G. Harper
and Associates, Inc.

AFTER THE FACT PERMIT APPLICATION
PROPOSED AGGREGATED FILL
IN THE SWEETLAKE AREA SEC16 TS12S R7W

APPLICATION BY: JEFF DAVIS ELECTRIC CO-OP
DATE: 02/25/2010 815 HWY 77

PROPOSED
PROFILE VIEWS

HORIZONTAL SCALE: 1" = 40'

NOTE: THESE DRAWINGS ARE TO BE USED EXCLUSIVELY FOR ACQUISITION OF REGULATORY PERMITS.

REVISED:

CAMERON PARISH, LOUISIANA

SHEET 6 OF 6

1. APPROXIMATELY 5,228 CUBIC YARDS OF SELECT FILL HAS BEEN PLACED ON THE PROJECT SITE.
2. APPROXIMATELY 952 CUBIC YARDS OF AGGREGATE MATERIAL HAS BEEN PLACED ON THE PROJECT SITE.
3. AN ADDITIONAL 3,239 CUBIC YARDS OF SELECT FILL IS PROPOSED TO BE PLACED ON THE PROJECT SITE.
4. AN ADDITIONAL 1,210 CUBIC YARDS OF AGGREGATE MATERIAL IS PROPOSED TO BE PLACED ON THE PROJECT SITE.
5. IN ORDER TO ENSURE THE SAFETY OF ALL PARTIES, THE PERMITTEE WILL CONTACT THE DOTTIE SYSTEM (1-800-272-3020), A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION OR DEMOLITION ACTIVITY.
6. THE PURPOSE OF THIS PROJECT IS TO RECONSTRUCT THE JEFFERSON DAVIS ELECTRICAL COOPERATIVE (JDEC) FACILITY, WHICH WAS LOCATED ON THE GULF COAST IN CAMERON, LOUISIANA AND DESTROYED BY HURRICANE RITA. IMMEDIATELY AFTER RITA, JDEC INSTALLED TEMPORARY FACILITIES LOCATED IN THE SWEETLAKE AREA IN EFFORTS TO PROVIDE REQUIRED SERVICES TO CAMERON PARISH, AS DEMONSTRATED ON SHEET 3 OF 6. AN AFTER THE FACT PERMIT IS BEING SOUGHT TO ALLOW JDEC TO CONSTRUCT THEIR NEW FACILITY IN SWEETLAKE FACILITY WILL ALLOW JDEC TO ASSIST CAMERON PARISH RESIDENTS WITH BILLING AND PERMITTING, WAREHOUSE VITAL MATERIALS, AND REDUCE RESPONSE TIME TO OUTAGES THROUGHOUT CAMERON PARISH.

PREPARED BY:



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**AFTER THE FACT PERMIT APPLICATION
PROPOSED AGGREGATED FILL
IN THE SWEETLAKE AREA SEC 16 T512S R7W**

APPLICATION BY: JEFF DAVIS ELECTRIC CO-OP
DATE: 03/05/2010 815 HWY 27

NOTES