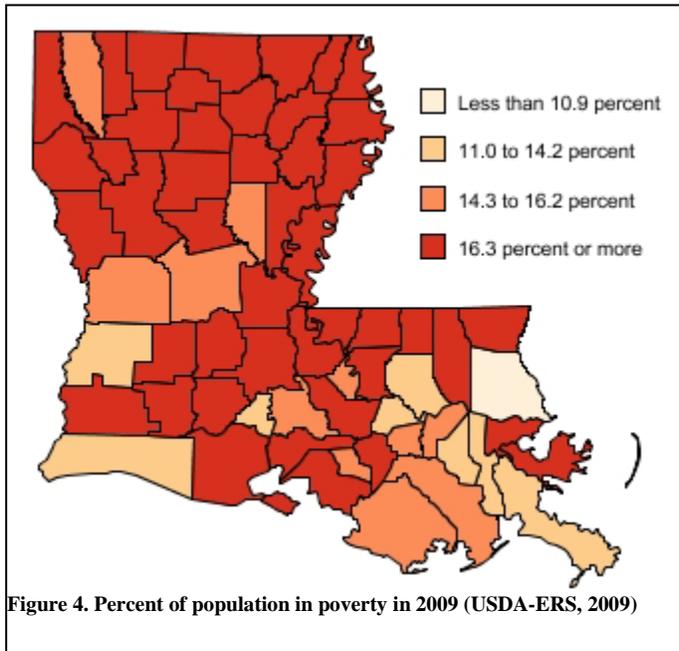


2000). The 2010 Census income data is not yet available but 2009 estimates from the U.S. Census Bureau's Small Area Income and Poverty Estimates program indicate that in 2009 the total population living below the poverty level in Louisiana was 17.6%. Dividing this number into urban and rural areas shows that 16.2% of the urban population and 21.8% of the rural population are living below the poverty level in Louisiana (USDA ERS, Louisiana Fact Sheet, 2011), see Figure 4.



### ***The CDBG-Funded Program and Disparate Impacts***

In 2008, PolicyLink, a non-profit organization, conducted a study evaluating the administration of Louisiana's Road Home program and how it affected low-income and African American renters and homeowners. (K. Rose et al., 2008). This study is incorporated by reference into this environmental assessment and can be accessed at <http://policylink.info/threeyearslater/>. The study found that on average African American grant recipients received larger Road Home grants than white recipients in the Homeowner Assistance program. However, it also found that the difference or gap between the actual cost to rebuild and total resources available to the homeowner for rebuilding was on average wider for African American recipients (\$39,082) than for white grant recipients (\$30,863). Total resources available for rebuilding was defined as funding available to the owner for rebuilding in place including Road Home grants, insurance (flood, wind, and homeowners), FEMA Individual Assistance grants, and other funds (excluding Small Business Administration loans).

One of the areas evaluated was the Road Home Homeowner Assistance program's formula that takes into account the pre-storm home value for limiting the recipient's total grant amount. The study found that African American and low-income households in Louisiana had lower pre-storm home values than average for closed Road Home grants. Other findings of the PolicyLink study include:

- (1) low-income and African American Louisiana recipients on average had less available resources for rebuilding than any other demographic group;
- (2) low-income and African American households had less insurance on average than any other demographic group;
- (3) families that had sufficient insurance (flood, wind, and homeowners) and those that could rely on their own assets generally moved into repair mode during the first year after the disaster;
- (4) homeowners who depended solely on Road Home grants were predominately low-income and African American homeowners; and
- (5) homeowners who depended solely on Road Home grants to initiate their work bore a greater burden than those who had other resources mainly due to the grant administration requirements such as documentation production deadlines and appeals processes.

The Road Home program created a special grant with a cap of \$50,000, called Additional Compensation Grant (ACG), to cover differences between cost-to-rebuild and the amount of compensation received. This grant was available to homeowners that earn less than 80% of area median income. In 2009, Louisiana removed the \$50,000 cap of the ACG. This had the effect of removing the pre-storm home value cap in Road Home Homeowner Assistance grant formula for mid- to low- income households.

In November 2008, two fair housing organizations in New Orleans and five African American homeowners challenged the Road Home program in the U.S. District Court for the District of Columbia under the antidiscrimination provisions in Title VII of the Fair Housing Act. The plaintiffs sued HUD and the U.S. District Court for the District of Columbia claiming that the Road Home Homeowner Assistance program had disparate impacts because it used pre-Katrina house values as a grant ceiling and African American homeowners who tend to live in New Orleans neighborhoods had lower property values than those predominately white neighborhoods. In 2010 the district court granted one of the plaintiff's preliminary injunction requests against the use of the pre-storm home value to limit the grants holding that there was a likelihood of success on the merits of the claim.

In March 2011, the U.S. Court of Appeals for the District of Columbia Circuit reversed holding that the applicant had not shown a likelihood of success on the merits. The court established that in the event that disparate impacts would apply, its focus would be on the formula as a whole due to its statewide application. The court reasoned that looking only into one particular element (i.e. use of pre-storm home values) would ignore the offset that other elements of the formula could have (e.g. lack of insurance for low-income households would allow for higher total grant dollars). The court also reasoned focusing on the application of a statewide formula to one particular geographic unit was also inappropriate because the underlying socioeconomic profile of that geographic unit would invariably influence the result even if the formula clearly had non-disparate racial effects. The court rejected the use of the resource gap as a benchmark to determine disparate effects and indicated that a better benchmark for evaluation could be the

total value grants received or the value of grants as a proportion to the grantee’s uncompensated losses. In the court’s view the study demonstrated that the program had no disparate effects since it found that on average African American grant recipients received larger Road Home grants than white recipients. The court went on to say that even under the rejected benchmark of the resource gap the plaintiffs would fail to show that the program had disparate effects because the 2009 removal of the \$50,000 cap in the ACG allowed more funds to low-income and African American homeowners to cover this gap.

FEMA asked OCD for information on the socioeconomic distribution of assistance under the CDBG Road Home program for purposes of cumulative impacts evaluation. Of the 128,476 grants provided to date 55,147 (43%) were provided to low to moderate income individuals and 60,005 (47%) were provided to minority individuals. The tables below summarize the information provided by the State:

**Table 4-5. Grants Provided under CDBG Road Home by Parish**

<b>Damaged Residence Parish</b>	<b>Option 1: Rebuild/repair</b>	<b>Option 2: Purchase another home in Louisiana</b>	<b>Option 3: Sale of home and move out of State</b>	<b>Total Count</b>	<b>Parish Percent of Total</b>
Acadia	290	2		<b>292</b>	<b>0.227%</b>
Allen	488	11	1	<b>500</b>	<b>0.389%</b>
Ascension	143			<b>143</b>	<b>0.111%</b>
Assumption	208			<b>208</b>	<b>0.162%</b>
Beauregard	933	10		<b>943</b>	<b>0.734%</b>
Calcasieu	12,629	104	6	<b>12,739</b>	<b>9.915%</b>
Cameron	1,545	126	2	<b>1,673</b>	<b>1.302%</b>
East Baton Rouge	178	1	1	<b>180</b>	<b>0.140%</b>
East Feliciana	27	1		<b>28</b>	<b>0.022%</b>
Evangeline	53			<b>53</b>	<b>0.041%</b>
Iberia	1,020	16	1	<b>1,037</b>	<b>0.807%</b>
Iberville	55	1		<b>56</b>	<b>0.044%</b>
Jefferson	24,632	134	29	<b>24,795</b>	<b>19.299%</b>
Jefferson Davis	849	12		<b>861</b>	<b>0.670%</b>
Lafayette	113	2		<b>115</b>	<b>0.090%</b>
Lafourche	790	6	1	<b>797</b>	<b>0.620%</b>
Livingston	213	3		<b>216</b>	<b>0.168%</b>
Orleans	41,143	3,552	1,506	<b>46,201</b>	<b>35.961%</b>
Plaquemines	2,888	239	21	<b>3,148</b>	<b>2.450%</b>
Pointe Coupee	14			<b>14</b>	<b>0.011%</b>
Sabine	30			<b>30</b>	<b>0.023%</b>
Saint Bernard	7,857	3,739	700	<b>12,296</b>	<b>9.571%</b>
Saint Charles	973	3	1	<b>977</b>	<b>0.760%</b>
Saint Helena	268	2		<b>270</b>	<b>0.210%</b>
Saint James	367			<b>367</b>	<b>0.286%</b>

Damaged Residence Parish	Option 1: Rebuild/repair	Option 2: Purchase another home in Louisiana	Option 3: Sale of home and move out of State	Total Count	Parish Percent of Total
Saint Landry	158	6		164	0.128%
Saint Martin	102	3		105	0.082%
Saint Mary	839	4		843	0.656%
Saint Tammany	10,870	135	30	11,035	8.589%
St John The Baptist	1,217			1,217	0.947%
Tangipahoa	1,499	6	1	1,506	1.172%
Terrebonne	2,467	47	1	2,515	1.958%
Vermilion	1,612	49	3	1,664	1.295%
Vernon	141	2		143	0.111%
Washington	1,314	13	1	1,328	1.034%
West Baton Rouge	13			13	0.010%
West Feliciana	4			4	0.003%
<b>Totals</b>	<b>117,942</b>	<b>8,229</b>	<b>2,305</b>	<b>128,476</b>	<b>100.000%</b>

**Table 4-6. Grants Provided under CDBG Road Home by Race**

Race	Closings	Percentage of Total
American Indian/Alaska Native	522	0.41%
American Indian/Alaska Native and White	384	0.30%
American Indian/Alaskan Native/Black-African American	297	0.23%
Asian	2,127	1.66%
Asian and White	212	0.17%
Black/African American	52,865	41.15%
Black/African American and White	910	0.71%
Native Hawaiian/Other Pacific Islander	134	0.10%
Other Multi-Racial	2,554	1.99%
White	50,966	39.67%
A Race was not provided	17,505	13.63%
<b>Totals</b>	<b>128,476</b>	<b>100.00%</b>

**Table 4-7. Grants Provided under CDBG Road Home to Low- to Moderate-Income (LMI) Families by Parish**

<b>Damaged Residence Parish</b>	<b>Option 1: Rebuild/repair</b>	<b>Option 2: Purchase another home in Louisiana</b>	<b>Option 3: Sale of home and move out of State</b>	<b>Totals by Parish</b>	<b>Parish Percent of Total</b>
Acadia	170	1		<b>171</b>	<b>0.31%</b>
Allen	220	8		<b>228</b>	<b>0.41%</b>
Ascension	91			<b>91</b>	<b>0.17%</b>
Assumption	136			<b>136</b>	<b>0.25%</b>
Beauregard	401	7		<b>408</b>	<b>0.74%</b>
Calcasieu	4,273	82	3	<b>4,358</b>	<b>7.90%</b>
Cameron	594	62		<b>656</b>	<b>1.19%</b>
East Baton Rouge	90	1	1	<b>92</b>	<b>0.17%</b>
East Feliciana	18	1		<b>19</b>	<b>0.03%</b>
Evangeline	30			<b>30</b>	<b>0.05%</b>
Iberia	479	7		<b>486</b>	<b>0.88%</b>
Iberville	37			<b>37</b>	<b>0.07%</b>
Jefferson	8,141	70	11	<b>8,222</b>	<b>14.91%</b>
Jefferson Davis	296	11		<b>307</b>	<b>0.56%</b>
Lafayette	66	2		<b>68</b>	<b>0.12%</b>
Lafourche	464	5	1	<b>470</b>	<b>0.85%</b>
Livingston	149	3		<b>152</b>	<b>0.28%</b>
Orleans	19,747	1,955	647	<b>22,349</b>	<b>40.53%</b>
Plaquemines	1,756	129	7	<b>1,892</b>	<b>3.43%</b>
Pointe Coupee	9			<b>9</b>	<b>0.02%</b>
Sabine	20			<b>20</b>	<b>0.04%</b>
Saint Bernard	3,679	1,480	271	<b>5,430</b>	<b>9.85%</b>
Saint Charles	405	2	1	<b>408</b>	<b>0.74%</b>
Saint Helena	208	2		<b>210</b>	<b>0.38%</b>
Saint James	195			<b>195</b>	<b>0.35%</b>
Saint Landry	92	5		<b>97</b>	<b>0.18%</b>
Saint Martin	67	3		<b>70</b>	<b>0.13%</b>
Saint Mary	519	4		<b>523</b>	<b>0.95%</b>
Saint Tammany	3,587	71	12	<b>3,670</b>	<b>6.65%</b>
St John The Baptist	570			<b>570</b>	<b>1.03%</b>
Tangipahoa	967	5		<b>972</b>	<b>1.76%</b>
Terrebonne	1,429	31		<b>1,460</b>	<b>2.65%</b>
Vermilion	613	20		<b>633</b>	<b>1.15%</b>
Vernon	51	1		<b>52</b>	<b>0.09%</b>
Washington	633	11	1	<b>645</b>	<b>1.17%</b>
West Baton Rouge	8			<b>8</b>	<b>0.01%</b>

Damaged Residence Parish	Option 1: Rebuild/repair	Option 2: Purchase another home in Louisiana	Option 3: Sale of home and move out of State	Totals by Parish	Parish Percent of Total
West Feliciana	3			3	0.01%
<b>Totals</b>	<b>50,213</b>	<b>3,979</b>	<b>955</b>	<b>55,147</b>	<b>100.00%</b>

### ***Distribution of HMGP Funds***

The latest list of projects provided by the State reveals that about 50% of the grants would be awarded to low to moderate income individuals and about 57% of the grants would be awarded to minority individuals. Of the projects identified as initiated before FEMA’s review and approval before March 16, 2008, 48% are from low to moderate income individuals and about 39% are from minority individuals. Of the projects identified as initiated before FEMA’s review and approval after March 16, 2008, 53% are low to moderate income families and 51% are minority individuals. The tables below summarize the socioeconomic distribution of the projects submitted to FEMA for its consideration under this HMGP initiative.

**Table 4-8. Socioeconomic Distribution of HMGP Projects**

Project List Socioeconomic Data Summary		
Self Certified Low to Moderate Income (LMI)	# of Grants	Percentage of Grants
No	8,169	43.8%
Yes	9,471	50.8%
No Answer	1,004	5.4%
Grand Total	18,644	100.0%
Ethnicity	# of Grants	Percentage of Grants
Decline to answer	1,309	7.0%
Hispanic/Latino	748	4.0%
Non-Hispanic/Latino	12,774	68.5%
No Answer	3,813	20.5%
Grand Total	18,644	100.0%
Race	# of Grants	Percentage of Grants
American Indian/Alaska Native	125	0.67%
American Indian/Alaska Native and White	60	0.32%
American Indian/Alaskan Native/Black-African American	49	0.26%
Asian	359	1.39%
Asian and White	30	0.16%
Black/African American	9,516	51.00%
Black/African American and White	148	0.79%
Native Hawaiian/Other Pacific Islander	19	0.10%
Other Multi-Racial	507	2.72%
White	4,892	26.23%
No Answer	2,939	15.76%

Grand Total	18,644	100.0%
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**Table 4-9. Distribution of Low- to Moderate-Income Individuals by Parish of HMGP Projects**

Damaged Residence Parish	Low- to Moderate-Income	Parish Percent of Total
Acadia	1	0.011%
Allen	3	0.032%
Ascension	1	0.011%
Calcasieu	71	0.750%
Cameron	63	0.665%
Iberia	47	0.496%
Jefferson	2,561	27.040%
Jefferson Davis	4	0.042%
Lafourche	49	0.517%
Livingston	4	0.042%
Orleans	5,068	53.511%
Plaquemines	124	1.309%
Saint Bernard	478	5.047%
Saint Charles	49	0.517%
Saint Helena	1	0.011%
Saint James	1	0.011%
Saint Martin	3	0.032%
Saint Mary	37	0.391%
Saint Tammany	379	4.002%
St John The Baptist	7	0.074%
Tangipahoa	7	0.074%
Terrebonne	390	4.118%
Vermilion	119	1.256%
Washington	4	0.042%
<b>Totals</b>	<b>9,471</b>	<b>100.000%</b>

**Table 4-10. Socioeconomic Distribution of Projects Initiated before FEMA’s Review and Approval prior to March 16, 2008 (Work In Progress [WIP]) and after March 16, 2008 (ARRA)**

Project List ARRA and WIP Socioeconomic Summary		
ARRA with Ethnicity	# of Grants	Percentage of Grants
American Indian/Alaska Native	1	1.5%
Black/African American	29	45.3%
Black/African American and White	1	1.5%
Other Multi-Racial	2	3.1%
White	19	29.7%

No Answer	12	18.8%
Total ARRA Properties	64	100.0%
WIPS with Race	# of Grants	Percentage of Grants
American Indian/Alaska Native	11	1.1%
American Indian/Alaska Native and White	3	0.3%
American Indian/Alaskan Native/Black-African American	2	0.2%
Asian	6	0.6%
Asian and White	1	0.1%
Black/African American	327	33.6%
Black/African American and White	7	0.7%
Native Hawaiian/Other Pacific Islander	1	0.1%
Other Multi-Racial	22	2.3%
White	439	45.1%
No Answer	154	15.7%
Total WIP Properties	973	100.0%

**Table 4-11. Low- to Moderate-Income Distribution of WIP and ARRA HMGP Projects**

Project List WIP and ARRA Low to Moderate Income Data Summary		
Self Certified Low- to Moderate-Income (LMI) WIP Projects	# of Grants	Percentage of Grants
LMI WIP Projects	441	45.3%
Total WIP Projects	973	100.0%
Self Certified Low- to Moderate-Income (LMI) ARRA Projects	# of Grants	Percentage of Grants
LMI ARRA Projects	37	57.8%
Total ARRA Projects	64	100.0%

## 4.5.2 Environmental Impacts

### ***Alternative 1: No Action***

Under this alternative, project proponents have already undertaken otherwise eligible hazard mitigation activities. FEMA was not able to engage in EHP review, including review under E.O. 12898, to determine if eligible hazard mitigation actions initiated prior to March 16, 2008 would have resulted in a disproportionate increase in flood, wind, environmental, or safety hazard risk of low-income and minority populations and communities.

Some of the eligible actions could raise concerns regarding exposure of low-income and minority populations to certain environmental, health, and safety hazards such as hazardous substances and flood. Activities associated with the demolition and handling of household-related asbestos containing materials (ACM), components with lead-based paint, and hazardous wastes should have followed State and Federal requirements for their appropriate handling and ultimate disposal. In addition, elevation and floodproofing of structures should have taken into account IBC standards, including ASCE 24.05 which provide a higher level of flood protection than the floodplain management standards in Louisiana prior to the hurricane events.

E.O. 12898, Title VI of the Civil Rights Act, and FEMA regulations at 44 C.F.R. Part 7 require FEMA and its applicants to conduct its activities and programs in a manner that does not deny the benefits of, deprive of participation in, or discriminate against on the grounds of race, color, or national origin. FEMA requires its applicants to administer the HMGP in compliance with these requirements. The data submitted by the State indicates that engaging in the no action would have equal impacts on the universe of applicants affected given that about half of the projects started after March 16, 2008 are from low- to moderate-income or minority individuals. The implementation of the no action would not result in the discrimination, denying the benefits of, nor depriving of participation of individuals in the HMGP on the grounds of race, color or national origin.

Section 308 of the Stafford Act also prohibits FEMA and its grantees from conducting its activities and programs in a manner that deny the benefits of, deprive of participation in, or discriminate against individuals on the grounds of sex, religion, age, disability, English proficiency, or economic status. A grant administration approach that limits all available HMGP funds in Louisiana exclusively to those homeowners that initiated work prior to the March 16, 2008 would have the disparate effect of denying low-income homeowners of the benefits of or depriving low-income households in the participation in the HMGP because these homeowners generally had less available resources to initiate work immediately after the hurricane events. They also generally relied exclusively on Road Home grants to engage in any restoration effort of their homes. In this case the applicant is not limiting all available HMGP funds for this program to homeowners that initiated work prior to March 16, 2008. Funds are available for homeowners that followed the traditional approach of initiating work after FEMA reviewed and approved the eligible work. Only 973 (or 6%) of the entire pool of eligible applicants would be homeowners that initiated prior to March 16, 2008. Therefore, FEMA's limited use of HMGP funds for work already initiated would not have the effect of denying the benefits of or depriving the participation in the HMGP benefits by low-income homeowners.

Another issue of concern raised by the PolicyLink study is the delay effect of grant administration on low-income populations. Documentation requirements, including proof of ownership, could result in substantial delays in the processing and release of HMGP funds. The PolicyLink study indicated that some families were struggling to gather the necessary documentation and the timing for securing these documents was not in line with the time limits imposed by OCD. The documentation and grant processing requirements; however, apply uniformly to all applicants regardless of their status. FEMA is not aware of any statistical analysis that demonstrates that the documentation requirements for the HMGP resulted in disproportionate high and adverse effect on minority and low-income households. Even if statistical data is produced demonstrating disproportionate adverse effect of these requirements on low-income populations, FEMA would not be able to waive these requirements for low-income and minority homeowners because doing so would result in FEMA's discrimination of other groups on the ground of economic status, race, or ethnicity.

The CDBG Road Home data reveals that there are no significant issues with regard to the cumulative impacts on minority and low-income populations.

Based on these findings, FEMA has determined that the no action alternative would not result in high and adverse disproportionate environmental and health effects on low-income and minority populations.

### ***Alternative 2: Proposed Action***

Under this alternative, project proponents have already undertaken otherwise eligible hazard mitigation activities. FEMA was not able to engage in EHP review, including review under E.O. 12898, to determine if eligible hazard mitigation actions initiated without FEMA's review and approval would have resulted in a disproportionate increase in flood, wind, environmental, or safety hazard risk of low-income and minority populations and communities.

Some of the eligible actions could raise concerns regarding exposure of low-income and minority populations to certain environmental, health, and safety hazards such as hazardous substances and flood. Activities associated with the demolition and handling of household-related ACM, components with lead-based paint, and hazardous wastes should have followed State and Federal requirements for their appropriate handling and ultimate disposal. In addition, elevation and floodproofing of structures should have taken into account IBC standards, including ASCE 24.05 which provides a higher level of flood protection than the floodplain management standards in Louisiana prior to the hurricane events.

The elimination of a deadline for hazard mitigation work initiated prior to FEMA's review and approval could have adverse impacts on low- to moderate-income and minority populations. Without FEMA's review prior to work initiation, there is no opportunity to evaluate if the adverse effect of particular actions, such as demolition or elevations, would be disproportionately high and adverse on these populations. FEMA's experience in conducting environmental justice reviews on the types of actions covered in this alternative before they occur is that they do not result in disproportionate high and adverse impacts on low income and minority populations.

However, a review before the actions occur ensures FEMA takes into account the potential for these effects and make recommendations to modify the projects or mitigate the effects to reduce their impacts. For this action FEMA would not be able to make recommendations for changing projects to account for these effects. In addition, a program modification to allow reimbursement can give homeowners the impression that they will receive HMGP funding. Some may initiate work relying on this availability to later find out that they are ineligible or that there are insufficient funds to include them in the program. This could hit low-income homeowners harder because they could have made decisions to enter into loans or invest their savings based on this reliance.

This alternative could also result in beneficial effects to low-income homeowners. Any homeowner that initiated otherwise eligible hazard mitigation work would remain eligible for FEMA's HMGP grants regardless of their race, ethnicity, or economic status. Low-income and minority homeowners that initiated otherwise eligible hazard mitigation work after March 16, 2008 would remain eligible and would not be penalized for not initiating their action prior to that date. The data provided indicates that of 64 projects currently being considered 33 would be awarded to minority individuals.

The concern with FEMA's HMGP disbursement delays discussed in the no action alternative

would remain. Documentation requirements, including proof of ownership, are not waived and can cause substantial delays in the processing and release of HMGP funds. The documentation and grant processing requirements apply uniformly to all applicants. FEMA is not aware of any statistical analysis that demonstrates that the documentation requirements for the HMGP resulted in disproportionate high and adverse effect on minority and low-income households. Even if statistical data is produced demonstrating disproportionate adverse effect of these requirements on low-income populations, FEMA would not be able to waive these requirements for low-income and minority homeowners because doing so would result in FEMA's discrimination of other groups on the ground of economic status, race, or ethnicity.

The CDBG Road Home data reveals that there are no significant issues with regard to the cumulative impacts on minority and low-income populations.

Based on these findings, FEMA has determined that this alternative would not result in high and adverse disproportionate environmental and health effects on low-income and minority populations.

***Alternative 3: Extension of limited program exception to a future date***

Under this alternative, project proponents have already undertaken otherwise eligible hazard mitigation activities. FEMA was not able to engage in EHP review, including review under E.O. 12898, to determine if eligible hazard mitigation actions initiated without FEMA's review and approval would have resulted in a disproportionate increase in flood, wind, environmental, or safety hazard risk of low-income and minority populations and communities.

Some of the eligible actions could raise concerns regarding exposure of low-income and minority populations to certain environmental, health, and safety hazards such as hazardous substances and flood. Activities associated with the demolition and handling of household-related ACM, components with lead-based paint, and hazardous wastes should have followed State and Federal requirements for their appropriate handling and ultimate disposal. In addition, elevation and floodproofing of structures should have taken into account IBC standards, including ASCE 24.05 which provides a higher level of flood protection than the floodplain management standards in Louisiana prior to the hurricane events.

Establishing another deadline for eligibility of hazard mitigation work initiated prior to FEMA's review and approval would allow FEMA to waive its prior review and approval requirement for a limited period and once the period expires FEMA would review any proposed work prior its initiation to ensure that it does not cause disproportionate high and adverse effects on low-income and minority populations. For work after the new established deadline FEMA would be able to make recommendations for modifying projects to account for these effects.

The limited waiver would increase the pool of eligible homeowners to include low-income and minority homeowners that initiated otherwise eligible hazard mitigation work in the past 6 years without having prior FEMA approval. It could also give homeowners the impression that they will receive HMGP funding and initiate work on this reliance to later find out that they are ineligible or that there are insufficient funds to include them in the program. This could hit low-income homeowners harder because they could have made decisions to enter into loans or invest

their savings based on this reliance.

Establishing another deadline could result in confusion for all homeowners that applied for the program. It would also have adverse effects on those homeowners that will not be able to obtain the necessary documentation (such as proof of ownership) on time.

The concern with FEMA's HMGP disbursement delays discussed in the no action alternative would remain. Documentation requirements, including proof of ownership, are not waived and can cause substantial delays in the processing and release of HMGP funds. The documentation and grant processing requirements apply uniformly to all applicants. FEMA is not aware of any statistical analysis that demonstrates that the documentation requirements for the HMGP resulted in disproportionate high and adverse effect on minority and low-income households. Even if statistical data is produced demonstrating disproportionate adverse effect of these requirements on low-income populations, FEMA would not be able to waive these requirements for low-income and minority homeowners because doing so would result in FEMA's discrimination of other groups on the ground of economic status, race, or ethnicity.

The CDBG Road Home data reveals that there are no significant issues with regard to the cumulative impacts on minority and low-income populations.

Based on these findings, FEMA has determined that this alternative would not result in high and adverse disproportionate environmental and health effects on low-income and minority populations.

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## **CHAPTER 6 AGENCIES CONSULTED**

FEMA consulted with the following agencies regarding the proposed action discussed in this SPEA:

- Advisory Council on Historic Preservation (ACHP)
- Louisiana State Historic Preservation Office (SHPO)
- Louisiana Department of Environmental Quality (LDEQ)
- United States Environmental Protection Agency (EPA)
- United States Army Corps of Engineers (USACE)
- Louisiana Department of Wildlife and Fisheries (LDWF)
- Louisiana Department of Natural Resources (LDNR)
- National Oceanic and Atmospheric Administration (NOAA)
- Natural Resources Conservation Service (NRCS)
- United States Fish and Wildlife Service (FWS)

## **CHAPTER 7 PUBLIC INVOLVEMENT**

FEMA notified the public of the availability of the draft SPEA through public notices and press releases in local newspapers in Louisiana. FEMA conducted a public comment period from August 10, 2011 through September 18, 2011. A copy of the public notice is presented in Appendix C.

## **CHAPTER 8 LIST OF PREPARERS**

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**APPENDIX A**  
**SECTION 106 STATE-SPECIFIC PROGRAMMATIC AGREEMENT FOR HMGP IN**  
**LOUISIANA (LA HMGP PA)**

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**DRAFT**

**APPENDIX B**  
**AGENCY CORRESPONDENCE**

**DRAFT**

**APPENDIX C  
PUBLIC NOTICE**