



FEMA

U.S. Department of Homeland Security
Louisiana Recovery Office
1 Seine Court
New Orleans, Louisiana 70114

**DRAFT FINDING OF NO SIGNIFICANT IMPACT
CHANGE OF LOCATION AND RECONSTRUCTION OF
ALEXIS BAY MARSH TERRACES
PLAQUEMINES PARISH, LOUISIANA
FEMA-1603-DR-LA (HURRICANE KATRINA)**

Introduction

Hurricane Katrina, a strong hurricane with high wind and a destructive storm surge, made landfall and caused catastrophic damage within the parishes of Louisiana. As a result of damages from Hurricane Katrina, the Federal Emergency Management Agency (FEMA) was authorized under Presidential disaster declaration FEMA-1603-DR-LA to provide federal assistance to designated disaster areas in Louisiana. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93288) Section 406 authorizes FEMA's Public Assistance (PA) Program to provide financial and other forms of assistance to State and local governments to support response, recovery, and mitigation efforts following Presidentially declared disasters.

Plaquemines Parish has submitted an application for Federal Emergency Management Agency (FEMA) grant funding under FEMA's Public Assistance Program being administered in response to FEMA-1603-DR-LA. The Alexis Bay Marsh Terraces were substantially damaged by Hurricane Katrina's winds and coastal flooding and were deemed eligible for grant funding to replace the terraces to predisaster condition. The applicant proposes to construct a new complex of terraces incorporating the functions and capacity of the previous facility at a new location in Alexis Bay in Plaquemines Parish, Louisiana. The facility is proposed to be reconstructed at the northeast edge of the damaged facility at latitude 29.31900 and longitude -89.32900.

In accordance with 44 CFR Part 10, FEMA regulations to implement the National Environmental Policy Act (NEPA), an Environmental Assessment (EA) was prepared. The purpose of this EA is to analyze the potential environmental impacts associated with the relocation and construction of the Alexis Bay Marsh Terraces and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

Findings

The above described action would not result in any significant adverse impacts related to geology, soils, hydrology, floodplains, wetlands, water quality, air quality, vegetation, wildlife, state and federally listed threatened and endangered species, cultural resources, socioeconomics (including minority and low income populations), safety, security, noise, hazardous materials, toxic wastes, traffic, or transportation. Based on the information analyzed, FEMA has determined that the implementation of the proposed action would not result in significant adverse impacts to the quality of the natural and human environment. The proposed alternative is not anticipated to have the potential for significant cumulative effects when combined with past, present, and reasonably foreseeable future actions in accordance with 44 CFR Part 10.8 (d)(3)(x). As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10) and the proposed action as described in the EA may proceed.

CONDITIONS AND MITIGATION MEASURES

Based upon the studies and consultations undertaken in this EA, several conditions must be met and mitigation measures must be taken by the applicant prior to and during project implementation.

- In accordance with applicable local, state, and federal regulations, the applicant is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities.
- FEMA Public Assistance grant funded projects carried out in the floodplain or affecting the floodplain must be coordinated with the local floodplain administrator for a floodplain development permit and the action must be undertaken in compliance with relevant, applicable and required local codes and standards and thereby, will reduce the risk of future flood loss, minimize the impacts of floods on safety, health, and welfare, and preserve and possibly restore beneficial floodplain values as required by Executive Order 11988.
- If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at

(225) 342-8170 within seventy-two hours of the discovery. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.

- In accordance with the rules and regulations of the Louisiana Coastal Resources Program and Louisiana R.S. 49, Sections 214.21 to 214.41, the State and Local Coastal Resources Act of 1978, as amended, the grant applicant must agree to the terms and conditions of the Coastal Use Permit and remain in compliance.
- The Louisiana Division of Administration requires obtaining a Class B Permit in order to conduct the proposed project (Louisiana Division of Administration, 2011). This project must be coordinated with the Division of Administration, the required permit must be obtained, and all conditions within that permit must be complied with and the project must remain in compliance (See Appendix B, Agency Correspondence, for a copy of these Rules and Regulations).
- Department of the Army Permit No. MVN 2004-3345 EBB authorizes the performance of the work in accordance with its specified terms and conditions. This work must be conducted in compliance with all terms and conditions and must remain in compliance. Additionally, the work must be completed within the time limit established within the issued permit and the applicant must submit a request for a time extension, if needed.
- Fill or borrow material used must be sourced from sites that do not contain any buried cultural materials (*i.e.*, wells, cisterns, foundations, basements, prehistoric Indian artifacts, human burials, and the like). If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, Plaquemines Parish and/or its contractors must immediately stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The Applicant and GOHSEP must inform the FEMA Public Assistance program, who would in turn contact the FEMA Historic Preservation staff. The Applicant must not proceed with work until FEMA completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act is required. In that situation, the Applicant must notify the local law enforcement agency within 24 hours of the discovery, and notify FEMA and the Louisiana Division of Archaeology at (225) 342-8170 within 72 hours of the discovery. Failure to comply with these stipulations may jeopardize FEMA funding of the project.
- To minimize air quality impacts, Plaquemines Parish and its contractors must implement BMPs to limit air emissions, fugitive dust and exhaust. BMPs would include maintaining and covering spoil piles, covering the loads of haul vehicles and keeping construction equipment properly tuned.

- Plaquemines Parish and its contractors must ensure all project activities are conducted in a safe manner and in compliance with all state and federal occupational safety regulations, including OSHA, to protect workers and the general public.
- Project construction would involve the use of potentially hazardous materials (*e.g.*, petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, treated timber) and may result in the generation of small volumes of hazardous wastes. Appropriate measures to prevent, minimize, and control spills of hazardous materials must be taken and generated hazardous and non-hazardous wastes are required to be disposed in accordance with applicable federal, state and local regulations.
- If any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents are encountered during the project, notification to LDEQ's Single-Point-of-Contact at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous conditions.
- In accordance with applicable local, state, and federal regulations, the applicant is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities.

Approvals:

Katherine Zeringue, Environmental Liaison Officer
1 Seine Court, New Orleans, Louisiana, 70114
FEMA-1603/1607-DR-LA

Date

Joseph Threat, Interim Director
1 Seine Court, New Orleans, Louisiana, 70114
FEMA-1603/1607-DR-LA

Date