

Draft Environmental Assessment
Chalmette Terminal Warehouse

St. Bernard Parish, Louisiana
April 2012

U.S. Department of Homeland Security
Federal Emergency Management Agency, Region VI
Louisiana Recovery Office
1 Seine Court
New Orleans, Louisiana 70114



FEMA

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LIST OF ACRONYMS

| | |
|--------|---|
| BFE | Base Flood Elevation |
| CFR | Code of Federal Regulations |
| CERCLA | Comprehensive Environmental Response, Compensation, and Liability Act |
| CZMA | Coastal Zone Management Act |
| DFIRM | Digital Flood Insurance Rate Map |
| EA | Environmental Assessment |
| EDMS | Environmental Document Management System |
| EIS | Environmental Impact Statement |
| EO | Executive Order |
| FEMA | Federal Emergency Management Agency |
| FIRM | Flood Insurance Rate Map |
| FONSI | Finding of No Significant Impact |
| GOHSEP | Governor's Office of Homeland Security and Emergency Preparedness |
| HMTA | Hazardous Materials Transportation Act |
| HP | Historic Preservation |
| LDEQ | Louisiana Department of Environmental Quality |
| LDNR | Louisiana Department of Natural Resources |
| LGS | Louisiana Geological Survey |
| LUST | Leaking Underground Storage Tank |
| LVIRA | Louisiana Voluntary Investigation and Remedial Action |
| NEPA | National Environmental Policy Act |
| NFIP | National Flood Insurance Program |
| NHPA | National Historic Preservation Act |
| PA | Programmatic Agreement |
| RCRA | Resource Conservation and Recovery Act |
| SF | Square Feet |
| SFHA | Special Flood Hazard Area |
| SHPO | State Historic Preservation Office/Officer |
| USACE | United States Army Corps of Engineers |
| USC | United States Code |
| USDA | United States Department of Agriculture |
| USEPA | United States Environmental Protection Agency |
| USFWS | United States Fish and Wildlife Service |
| VRP | Volunteer Remedial Program |

1.0 INTRODUCTION

1.1 Project Authority

Hurricane Katrina made landfall on August 29, 2005 near Buras-Triumph, Louisiana with sustained winds of more than 125 mph. President George W. Bush declared a major disaster for the State of Louisiana (FEMA-1603-DR-LA) on August 29, 2005, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide Federal assistance in designated areas of Louisiana. This is 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 (PA) to assist in funding the repair, restoration, reconstruction, or replacement of public facilities damaged as a result of the declared disaster.

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 (Title 40 of the Code of Federal Regulations [CFR] Parts 1500 to 1508), and FEMA's regulations implementing NEPA (44CFR Parts 9 and 10).

The purpose of this EA is to analyze potential environmental impacts of the proposed project. 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

The St. Bernard Port Harbor and Terminal Districts' (applicant) facilities located at the Chalmette Terminal sustained major damage as a result of wind, rain, and flooding brought on by Hurricane Katrina. Included amongst the damaged facilities were warehouse building #80 (29,000) square feet (SF) and warehouse building #40 (25,000) SF. Both were constructed of a steel frame with steel skin. Both of these facilities were deemed eligible for federal disaster public assistance repair funds.

The applicant determined that neither repair nor replacement of the existing warehouses in their current locations would best meet the needs of the Chalmette Terminal. Therefore, the applicant requested an Improved Project to combine the capacity and function of Building #40 and Building #80 into a single facility. The proposed consolidated warehouse will be placed on a nearby pre-existing slab within the existing Chalmette Terminal Port property.

1.3 Area Description

The Chalmette Terminal is located in St. Bernard Parish, Louisiana. The parish is bordered by the Mississippi River, Lake Borgne, Breton Sound, Orleans Parish, and Plaquemines Parish. St. Bernard Parish is located in the New Orleans – Metairie – Kenner metropolitan statistical area and the parish seat is the city of Chalmette, which is located in the northwestern section of the Parish. The city of New Orleans borders Chalmette to the west, and Slidell, Louisiana lies about 30 miles to the north, across Lake Pontchartrain in St. Tammany Parish. Chalmette's estimated

population in 2010 was 35,897, down from 67,222 prior to hurricane Katrina, a 46.6 percent reduction in population. (U.S. Census American FactFinder, Table 1).

Geography: St. Bernard Parish, Louisiana

| Subject | Number | Percent |
|--|--------|---------|
| SEX AND AGE | | |
| Total population | 35,897 | 100.0 |
| Under 5 years | 2,848 | 7.9 |
| 5 to 9 years | 2,462 | 6.9 |
| 10 to 14 years | 2,362 | 6.6 |
| 15 to 19 years | 2,556 | 7.1 |
| 20 to 24 years | 3,005 | 8.4 |
| 25 to 29 years | 3,219 | 9.0 |
| 30 to 34 years | 2,448 | 6.8 |
| 35 to 39 years | 2,247 | 6.3 |
| 40 to 44 years | 2,276 | 6.3 |
| 45 to 49 years | 2,692 | 7.5 |
| 50 to 54 years | 2,681 | 7.5 |
| 55 to 59 years | 2,191 | 6.1 |
| 60 to 64 years | 1,622 | 4.5 |
| 65 to 69 years | 1,078 | 3.0 |
| 70 to 74 years | 807 | 2.2 |
| 75 to 79 years | 636 | 1.8 |
| 80 to 84 years | 472 | 1.3 |
| 85 years and over | 295 | 0.8 |
| Median age (years) | 32.9 | (X) |
| 16 years and over | 27,783 | 77.4 |
| 18 years and over | 26,720 | 74.4 |
| 21 years and over | 25,075 | 69.9 |
| 62 years and over | 4,193 | 11.7 |
| 65 years and over | 3,288 | 9.2 |
| RACE | | |
| Total population | 35,897 | 100.0 |
| One Race | 34,854 | 97.1 |
| White | 26,579 | 74.0 |
| Black or African American | 6,350 | 17.7 |
| American Indian and Alaska Native | 260 | 0.7 |
| Asian | 690 | 1.9 |
| Native Hawaiian and Other Pacific Islander | 22 | 0.1 |
| Some Other Race | 953 | 2.7 |
| Race alone or in combination with one or more other races: [4] | | |
| Black or African American | 6,705 | 18.7 |
| Asian | 908 | 2.5 |
| Native Hawaiian and Other Pacific Islander | 66 | 0.2 |
| Some Other Race | 1,213 | 3.4 |
| HISPANIC OR LATINO | | |
| Total population | 35,897 | 100.0 |
| Hispanic or Latino (of any race) | 3,309 | 9.2 |
| Not Hispanic or Latino | 32,588 | 90.8 |

Table 1 - U.S. Census Population Demographics, 2010 Estimates

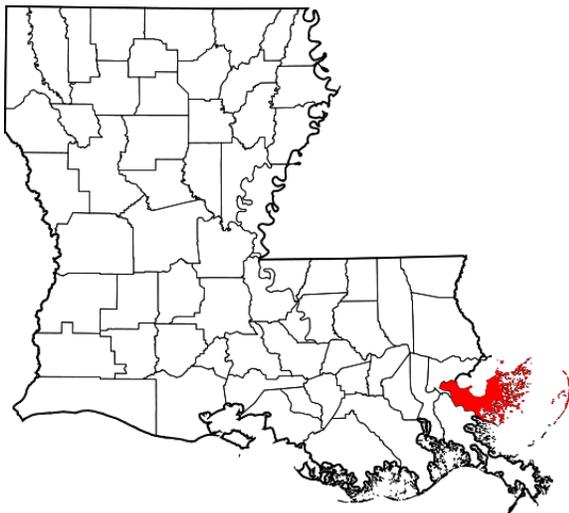


Figure 1 – St. Bernard Parish (Google Images, 2011)

The proposed 86,000 SF pre-engineered, consolidated warehouse will be located at 560 Bonita Drive, Chalmette, Louisiana, Latitude 29.940625, Longitude -89.982284 (Figures 1 and 2). The proposed footprint is located approximately one quarter mile northwest of Buildings #40 (N: 29.955011, W: 89.98388) and #80 (N: 29.935922, W: -89.981264).

The project is located on an 86,000 SF foundation east of Bonita Drive. Historically, the site was part of the Kaiser Aluminum Factory before it was transferred 15 years ago to the St. Bernard Parish Port Authority, the current property owner. The proposed consolidated warehouse will be constructed on a pre-existing concrete foundation formerly used for operational and warehouse space when the Kaiser factory was in full operation. Structures previously associated with the Kaiser facility are located along the northern, southern, and western edges of the project site; currently these buildings are used for light manufacturing and warehousing. The north side of the property faces Boasso America Corporation; a storage container service which also utilizes the old factory buildings. In the months following Hurricane Katrina, St. Bernard Parish installed approximately 26 (14'x60') and 54 (16'x76') mobile homes on the pre-existing project foundation to temporarily house Sheriff Department personnel. The mobile homes have since been removed.

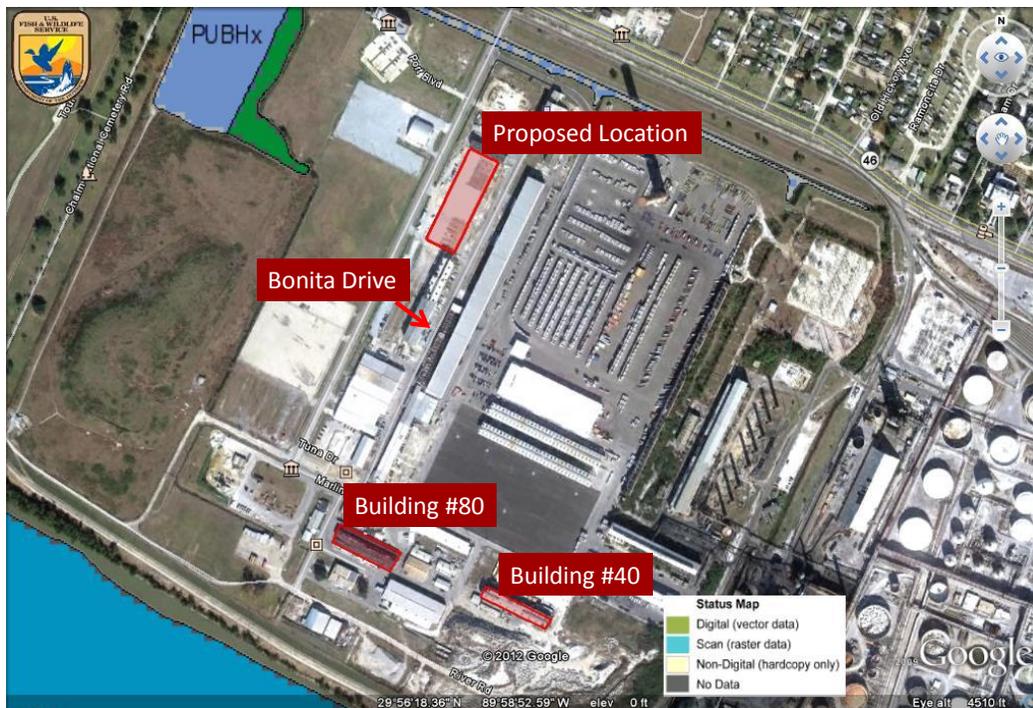


Figure 2 – Chalmette Terminal Warehouse former locations (buildings #40 and #80) and proposed relocation site (Google Earth, 2012)→

1.4 Purpose and Need

In order to restore the lost services, facilities, and resources that were lost as a result of Hurricane Katrina, St. Bernard Port, Harbor & Terminal District, seeks federal grant funds to replace the two warehouses as a single 86,000 SF facility. Replacement is proposed to include building relocation to 560 Bonita Drive, Chalmette, Louisiana.

Restoration of port storage services damaged as a result of Hurricane Katrina is necessary to accommodate lessees' storage/operational needs. The consolidated warehouse is a cost effective and efficient means of restoring port storage operations that were damaged as a result of Katrina. Foundations supporting the two donor warehouses would not satisfy load bearing requirements needed for storage services and would therefore need replacement. The new warehouse will consolidate functions of the pre-existing warehouses in one location and its foundation will meet needed load bearing standards.

2.0 ALTERNATIVES CONSIDERED

The NEPA process consists of an evaluation of the environmental effects of a Federal undertaking, including its alternatives. Three alternatives have been proposed and reviewed including, 1) the No Action Alternative, 2) Reconstruction/repair of the warehouses in the same footprints, and 3) Reconstruction of one larger warehouse in an alternate location (Figure 2).

2.1 Alternative 1 - No Action

With the no action alternative, there would be no replacement of the two damaged warehouses. As a result, vendor service limitations would adversely affect viability of the St. Bernard Port, Harbor & Terminal District, impacting the local economy. This alternative does not meet the purpose and need and will be eliminated from further consideration.

2.2 Alternative 2 – Reconstruct at Original Sites

This alternative would rebuild the damaged warehouses at the original sites to pre-disaster configuration and function, on new foundations in order to increase needed load bearing capacity. The facilities would be built within the respective original footprints and would include improvements for meeting current codes and standards (e.g., American with Disabilities Act, building codes, local floodplain ordinances, etc.). This alternative meets the purpose and need and will be further evaluated.

2.3 Alternative 3 – Reconstruct at an Alternate Location – Proposed Action

The proposed site consists of a rectangular pre-existing foundation located at 560 Bonita Drive, Chalmette, LA 70044 that supported a warehouse and operational space for Kaiser Aluminum Factory before it was transferred 15 years ago to the St. Bernard Port Authority. Mobile buildings were recently located at the site providing office space for the St. Bernard Parish Sheriff's department. The proposed action is for replacement of the 29,000 SF and 25,000 SF warehouses with a single 86,000 SF facility. The new facility would expand overall capacity,

but would retain the function and purpose of the former facilities. Reconstructing the warehouse on the pre-existing foundation instead of the current locations would better accommodate lessee storage requirements. This alternative meets the purpose and need and will be further evaluated.

3.0 AFFECTED ENVIRONMENT AND IMPACTS

3.1 Wetlands

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. Wetlands are identified as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The USACE also regulates the building of structures in waters of the U.S. pursuant to the Rivers and Harbors Act (RHA).

Executive Order (EO) 11990, Protection of Wetlands, directs Federal agencies to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the values of wetlands for federally funded projects. FEMA regulations for complying with EO 11990 are found at 44 CFR Part 9, Floodplain Management and Protection of Wetlands.

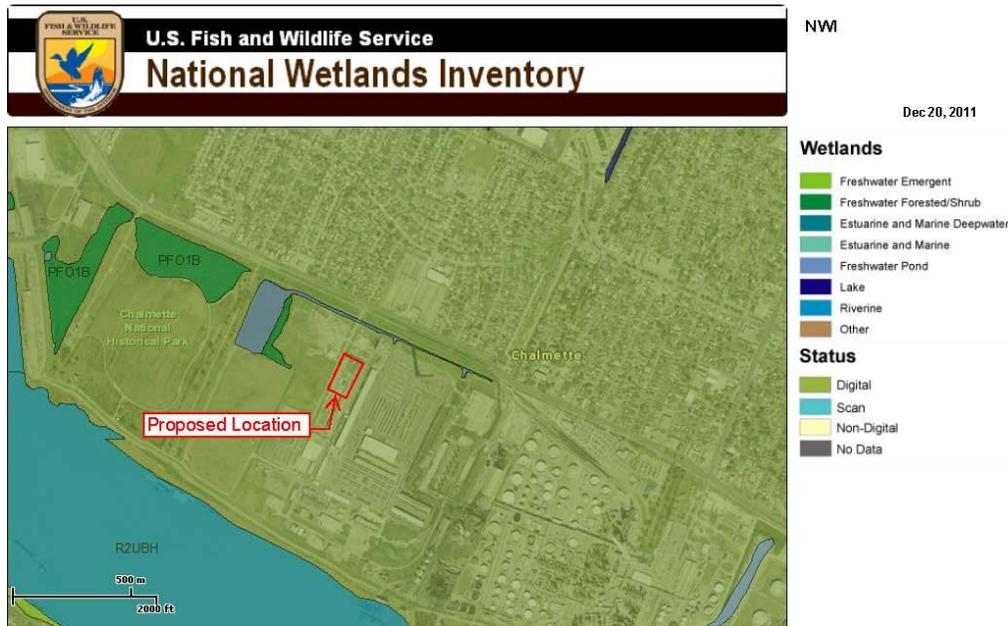


Figure 3 - U. S. Fish and Wildlife Service Wetlands Inventory Map (USFWS, 2011)

Alternative 2 – Reconstruction/Repair in the Same Footprint: Reconstruction of the warehouses in substantially their same footprints would have no impact on wetlands or other waters of the U.S. FEMA has determined the original locations are in an urban, previously-disturbed site and is not a wetland under Executive Order 11990. It would not require permits under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act.

Alternative 3 – Reconstruction at an Alternative Location - Proposed Action: The U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) map shows no wetlands within the proposed project area that could be adversely affected by the project (Figure 3, USFWS 2011). In comments received on January 5, 2012, the USACE indicated that no federal permit would be required for the placement or redistribution of dredged or fill material on the proposed project site (*Appendix B*). The proposed action alternative would have no impact on wetlands or other waters of the U.S. FEMA has determined that the proposed location is an urban, previously-disturbed site and is not a jurisdictional wetland under Executive Order 11990. The project as proposed would not require permits under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act.

To minimize indirect impacts (erosion, sedimentation, dust and other construction-related disturbances) to the well-defined urban drainage ways surrounding the proposed action, the following best management practices should be included into the daily operations of the construction activities: silt screens, barriers (*e.g.*, hay bales), berms/dikes, and/or fences to be placed where and as needed. Fencing will be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations.

3.2 Floodplains

Executive Order 11988 (Floodplain Management) requires Federal agencies to avoid direct or indirect support or development within the 100-year floodplain whenever there is a practicable alternative. FEMA's regulations for complying with EO 11988 are found at 44 CFR Part 9, Floodplain Management and Protection of Wetlands.

In July 2005, FEMA initiated a series of flood insurance studies for many of the Louisiana coastal parishes as part of the Flood Map Modernization effort through FEMA's National Flood Insurance Fund. These studies were necessary because the flood hazard and risk information shown on many Flood Insurance Rate Maps (FIRMs) was developed during the 1970s, and the physical terrain had changed significantly, such as major loss of wetland areas. After Hurricanes Katrina and Rita, FEMA expanded the scope of work to include all of coastal Louisiana. The magnitude of the impacts of Hurricanes Katrina and Rita reinforced the urgency to obtain additional flood recovery data for the coastal zones of Louisiana.

During initial post-hurricane analyses, FEMA determined that the "100-Year" or 1-percent chance storm flood elevations on FIRMs for many Louisiana communities, referred to as Base Flood Elevations (BFEs), were too low. FEMA created recovery maps showing the extent and magnitude of Hurricane Katrina's and Rita's surge, as well as information on other storms over the past 25 years. The advisory flood data shown on the recovery maps for the Louisiana-declared disaster areas show high-water marks surveyed after the storm; flood limits developed from these surveyed points; and Advisory Base Flood Elevations, or ABFEs. The recovery maps and other advisory data were developed to assist parish officials, homeowners, business owners, and other affected citizens with their recovery and rebuilding efforts.

Updated preliminary flood hazard maps from an intensive five-year mapping project guided by FEMA are now provided to all Louisiana coastal parishes. The new maps, known as Preliminary

Digital Flood Insurance Rate Maps (DFIRMs), are based on the most technically advanced flood insurance studies ever performed for Louisiana, followed by multiple levels of review. They provide an up-to-date, accurate picture of coastal Louisiana flood risks. The DFIRMs provide communities with a more scientific approach to economic development, hazard mitigation planning, emergency response and post-flood recovery.

In compliance with FEMA policy implementing EO 11988, Floodplain Management, the proposed project was reviewed for possible impacts associated with occupancy or modification to a floodplain. St. Bernard Parish enrolled in the NFIP on March 13, 1970.



Figure 4 - Digital Flood Insurance Rate Map Panel 22087C0480D (FEMA, October 30, 2008)

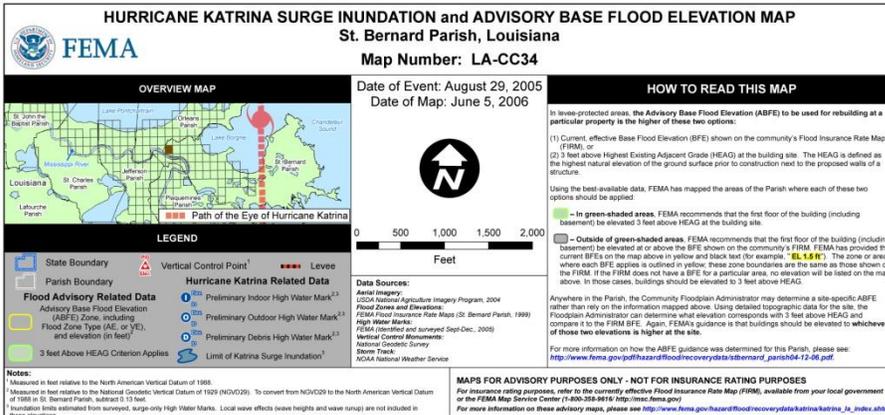


Figure 5 - Advisory Base Flood Elevation Map LA-CC34 (FEMA, June 5, 2006)

Alternative 2 – Reconstruction/Repair in the Same Footprint: This alternative would rebuild the damaged warehouses at the original sites to pre-disaster configuration and function, on new foundations in order to increase needed load bearing capacity. The facilities would be built within the respective original footprints and would include improvements for meeting current codes and standards. As per 44 CFR 9.11 (d) (9), mitigation or minimization standards would be applied, where possible.

Alternative 3 – Reconstruction at an Alternative Location - Proposed Action: The St. Bernard Parish Port, Chalmette Terminal Warehouse involves the relocation/ consolidation/reconstruction of warehouse building #40 & warehouse building #80, which is located within the 100 year floodplain. Proposed site is located within a Zone “AE”, EL 8; per Preliminary Digital Flood Insurance Rate Map (DFIRM) Panel #: 22087C0480 D, dated 10.30.08, North American Vertical Datum (NAVD). The proposed site is located within and ABFE 3 ft. above Highest Existing Adjacent Grade (HEAG) per ABFE Map-LA-CC34, dated 06.05.06. It is practicable to construct the proposed project within the floodplain. As per 44 CFR 9.11 (d) (9), mitigation or minimization standards would be applied, where possible. In compliance with EO11988, an 8-Step Process, showing considered alternatives, was completed and is attached or on file. As per 44 CFR 9.12, a Cumulative Final Public Notice was published 10/26/07 - 11/09/07 and is attached or on file.

By the January 04, 2012 memorandum from Frank Pagano, Mitigation Division Director of FEMA Region V1 to John Connolly, Senior Public Assistance Director Advisor, Louisiana Recovery Office; elevation to the 2008 Preliminary DFIRM is not required for this project. Per memo it is recommended the facility be constructed to the 2006 ABFE of 3 ft. above the (HEAG). In addition, the applicant must coordinate all reconstruction activities with the local floodplain administrator regarding floodplain permit(s) prior to start of any activities, and remain in compliance with formally adopted local floodplain ordinances. The applicant is also responsible for obtaining and retaining all permits and certificates for verification. All coordination pertaining to these permit(s) should be documented to the local Floodplain Administrator and copies provided to LA GOHSEP and FEMA as part of the permanent project files. (Pagano, 2012)

3.3 Coastal Resources

The Coastal Zone Management Act of 1972 (CZMA) requires federal agency actions to be consistent with the policies of the state coastal zone management program when conducting or supporting activities that affect a designated coastal zone. The Louisiana Department of Natural Resources (LDNR) regulates development in Louisiana’s coastal zone through the Coastal Use Permit Program. The existing facilities and the proposed project site are located in the coastal zone and are required to obtain a Coastal Use Permit from LDNR prior to construction.

Alternative 2 – Reconstruction/Repair in the Same Footprint: Review of Louisiana’s Coastal Zone Boundary Map identified that the construction of the proposed action is within the coastal zone jurisdiction therefore, the project would require a Coastal Use Permit (CUP) to ensure enforcement of applicable construction standards in implementing the proposed action.

Alternative 3 – Reconstruction at an Alternative Location - Proposed Action: Review of Louisiana’s Coastal Zone Boundary Map identified that the construction of the proposed action is within the coastal zone jurisdiction therefore, the project would require a Coastal Use Permit (CUP) to ensure enforcement of applicable construction standards in implementing the proposed action.

3.4 Biological Resources

The Endangered Species Act (ESA) of 1973 prohibits the taking of listed, threatened, and endangered species unless specifically authorized by permit from the USFWS or the National Marine Fisheries Service. “Take” is defined in ESA Section 3 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.

The Migratory Bird Treaty Act of 1918 implements various treaties and conventions between the U.S. and Canada, Japan, Mexico and the former Soviet Union for the protection of migratory birds. Under the Act, taking, killing or possessing migratory birds is unlawful.

Alternative 2 – Reconstruction/Repair in the Same Footprint: Reconstruction of the warehouses in substantially their same footprints would not impact or modify endangered, threatened, as well as proposed listed species, migratory birds, or federally listed critical habitat per USFWS Effects to Federal Trust Resources letter dated December 6, 2011 (Appendix A).

Alternative 3 – Reconstruction at an Alternative Location - Proposed Action: Eleven (11) federally listed endangered or threatened species are found in St. Bernard Parish. Reconnaissance of the site confirmed the urban previously-disturbed site conditions and no listed species or critical habitats were identified present. The project is located within the Mississippi Flyway (FWS, 2012.) This project has been reviewed by the U.S. Fish and Wildlife Service for effects to federal trust resources under their jurisdiction and currently protected by the Endangered Species Act of 1973. The project as proposed will have no affect on those resources (FWS, 2011).

Reconstruction of the warehouses as a single larger warehouse would not impact or modify endangered, threatened, as well as proposed listed species, migratory birds, or federally listed critical habitat per USFWS Effects to Federal Trust Resources letter dated December 6, 2011 (Appendix A).

3.5 Cultural Resources

The consideration of effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP) 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 or historic properties that may be affected by the proposed action or alternatives within the project’s area of potential effects. Historic properties are defined as archaeological

sites, standing structures or other historic resources listed in or determined eligible for listing in the NRHP. Federal agencies must take into account their effects on historic properties and allow the Advisory Council on Historic Properties opportunity to comment.

FEMA, the Louisiana State Historical Preservation Office (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 (ACHP) have executed a Statewide Programmatic Agreement (PA) dated August 17, 2009 and amended on July 22, 2011 (2009 Statewide PA as amended), to streamline the NHPA Section 106 review process. The proposed action is subject to the standard project review stipulation of the 2009 Statewide PA as amended.

Existing Conditions

Standing Structures

The project area is not located within a listed or eligible historic district, and the Area of Potential Effects for standing structures does not include any structures aged fifty years or older.

Archaeological Properties

On March 19, 2012, FEMA Historic Preservation Specialists consulted data provided by SHPO and determined that there is one previously identified archaeological site within 0.5 miles of the APE The Chalmette National Battlefield, 16SB147, is located 0.3 miles west of the project area. The site is on the National Register of Historic Places but will not be affected by the current Undertaking. The soils within the project area are classified as "urban," (a soil type which consists of soils that have been heavily modified by human activities such as filling and leveling). Despite this classification, the area falls within the New Orleans high probability zone for occurrence of cultural resources due to its position on the natural levee of the Mississippi River.

The St. Bernard Port, Harbor, and Terminal facility exists on the grounds of the former Kaiser Aluminum plant. Kaiser Aluminum acquired the property in the early 1950's. During the development of the tract, the ground was extensively disturbed for building footers, access roads, parking area, and utilities. The facility became one of the largest aluminum smelting plants in the country. The grounds have been further modified since it was acquired by the St. Bernard Port, Harbor, and Terminal District in 1989. In 2007, FEMA monitored the construction of the new Port offices on Port Boulevard near St. Claude Avenue at the entrance to the port facility due to concerns for the possible presence of archaeological deposits associated with the Battle of Chalmette or the Bienvenu Plantation that once occupied the tract. During the monitoring, FEMA determined that the subsurface beneath the port facility had been extensively disturbed to such a degree that no eligible archaeological resources would be identified.

Alternative 2 – Reconstruction/Repair in the Same Footprint: This alternative involves the demolition and reconstruction of the facility within the same footprint. In-kind reconstruction in

the existing location would not impact any above ground resources. In addition, no archaeological resources would be affected by the undertaking.

Alternative 3 – Reconstruction at an Alternate Location - Proposed Action: The scope of work indicates ground disturbing activities associated with the construction of the new building. A review of this alternative was conducted in accordance with FEMA's Statewide PA dated August 17, 2009. FEMA determined that there are No Historic Properties Affected by the proposed undertaking. FEMA is currently requesting SHPO concurrence with this determination. 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 conditions section of this EA.

3.6 Environmental Justice

Executive Order 12898, Federal Actions 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.

Chalmette Terminal Warehouse is located within a previously existing industrial area. The population of St. Bernard Parish is diverse in its ethnic composition (Table 1).

Alternative 2 – Reconstruction/Repair in the Same Footprint: Reconstruction of the warehouses in substantially their same footprints would have no disproportionate adverse impacts to low-income or minority populations as the site is located in an existing industrial area and is restoring a pre-existing service.

Alternative 3 – Reconstruction at an Alternate Location - Proposed Action: Reconstruction of the warehouses as a single larger warehouse would have no disproportionate adverse impacts to low-income or minority populations as the site is located in an existing industrial area and is restoring a pre-existing service.

3.7 Hazardous Materials and Waste

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 (CERCLA), the Emergency Planning and Community Right-to-Know Act, the Hazardous Materials Transportation Act (HMTA), and the Louisiana Voluntary Investigation and Remedial Action (LVIRA) 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.

Alternative 2 – Reconstruction/Repair in the Same Footprint: No hazardous materials, wastes, or substances (including contaminated soil or groundwater) have been identified at the original

sites. Reconstruction of the warehouses in substantially the original footprints would not disturb any hazardous materials or create any potential hazard to human health.

Alternative 3 – Reconstruction at an Alternate Location - Proposed Action: A database search prepared for the proposed project site revealed that there are no Louisiana Volunteer Remedial Program (VRP)/Brownfield sites located on the proposed site. No sites of concern were found during a review of the Environmental Document Management System (EDMS) database for other hazardous waste management and disposal, solid waste disposal, storage tank, enforcement, and other databases on the proposed site. There are no recorded oil and gas wells on or near the proposed property. A search of the Louisiana Department of Environmental Quality (LDEQ) Leaking Underground Storage Tank (LUST) database revealed no recorded LUST sites within 0.25 miles of the site. A database search prepared for the proposed project site revealed that there are no Louisiana Volunteer Remedial Program (VRP)/Brownfield sites located within 0.5 miles of the site. These findings indicate that no hazardous materials, wastes, or substances (including contaminated soil or groundwater) have been identified at the proposed site. 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 shall be initiated in accordance with applicable Federal, state, and local rules and regulations.

Project construction may involve the use of hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paints, electronic components, pesticides/herbicides and fertilizers, treated timber) and may result in the generation of small volumes of hazardous wastes. Best management practices and appropriate measures to prevent, minimize, and control spills of hazardous materials shall be taken, and any hazardous and non-hazardous wastes generated shall be disposed of in accordance with applicable federal, state, and local requirements.

4.0 CUMULATIVE IMPACTS

According to the Council on Environmental Quality (CEQ) regulations, cumulative impacts represent the “impact on the environment which results from the incremental impact of the action when added to other 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 (40 CFR 1508.7).

The entire Louisiana Gulf Coast is undergoing recovery efforts after the 2005 hurricane season which includes demolition, reconstruction, and new construction, within private sector as well as Federal and state government. The USACE is undergoing one of the largest projects in their history, rebuilding the Greater New Orleans Hurricane and Storm Damage Risk Reduction System, which will improve approximately 350 miles of levees, concrete floodwalls, and other structures to meet 100-year level of risk reduction. The Louisiana Department of Transportation and Development (LADOTD) has an unusually large number of infrastructure improvements ongoing in and around Orleans Parish such as the Huey P. Long Bridge widening, the I-10 Twin Span Bridge replacement, and the I-10 and Causeway interchange improvements. The

combination of all recovery development projects, including those mentioned above would have cumulative effects to St Bernard Parish. However, it is anticipated that the Proposed Action would not have cumulative impacts on resources addressed in this EA.

5.0 CONDITIONS AND MITIGATION MEASURES

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

- Before initiating any work St. Bernard Port, Harbor & Terminal District must have an approved Coastal Use Permit from the State's Coastal Zone Management Department, if required. St. Bernard Port, Harbor & Terminal District must ensure that contractors follow permit requirements, conditions, and construction procedures and standards during construction work.
- The applicant must follow all applicable local, state, and federal laws, regulations and requirements and obtain and comply with all required permits and approvals prior to initiating work.
- 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.
- 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, St. Bernard Port, Harbor and Terminal District 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.

- 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.

6.0 PUBLIC INVOLVEMENT AND AGENCY CONSULTATIONS

FEMA is the lead federal agency for conducting the NEPA compliance process for this Environmental Assessment and FEMA Public Assistance grant funded project. It is the responsibility of the lead agency to conduct the preparation and review of NEPA documents in a way that is responsive to the needs of the parish communities while meeting the spirit and intent of NEPA and complying with mandated provisions. As part of the development of early interagency coordination related to the proposed action, state and federal resource protection agencies were contacted and FEMA distributed an informal scoping notification through a Solicitation of Views.

These agencies include the State Historical Preservation Officer, U. S. Fish and Wildlife Service, the Governor's Office of Homeland Security and Emergency Preparedness, Louisiana Department of Environmental Quality, U. S. Environmental Protection Agency, Louisiana Department of Natural Resources, U. S. Army Corps of Engineers, and National Oceanic & Atmospheric Administration National Marine Fisheries Service. FEMA has received no objections to the project as proposed subsequent to these notifications and comments and conditions received have been incorporated into this NEPA document. In accordance with applicable local, state, and federal regulations, the applicant would be responsible for acquiring any necessary permits prior to commencing construction at the proposed project site. FEMA is inviting the public to comment on the proposed action during a fifteen (15) day comment period. A public notice will be published for 5 days in the local newspaper, *The Voice*, announcing the

availability of this EA for review at the St. Bernard Parish Library located at 2600 Palmisano Boulevard, Chalmette, LA. A copy of the Public Notice is attached in Appendix C.

7.0 LIST OF PREPARERS

Joel Caldwell – Environmental Protection Specialist, FEMA LRO

Adam Borden – Lead Environmental Protection Specialist, FEMA LRO

Tiffany Spann Winfield – Deputy Environmental Liaison Officer, FEMA LRO

June Griffin – Floodplain Specialist, FEMA LRO

Mike Wilder – Historical Preservation Specialist, FEMA LRO

8.0 REFERENCES

Endangered Species Act of 1973

Website: <http://epw.senate.gov/esa73.pdf>

Executive Order 11988, Floodplain Management, 1977.

Website: <http://www.fema.gov/plan/ehp/ehplaws/eo11988.shtm>.

Executive Order 12898, Environmental Justice for Low Income and Minority Populations, 1994.

Website: <http://www.fema.gov/plan/ehp/ehplaws/ejeo.shtm>.

Federal Emergency Management Agency. 2006. *Advisory Base Flood Elevation Map, Orleans Parish, Louisiana. Map LA CC-34*. Website:

http://www.fema.gov/pdf/hazard/flood/recoverydata/katrina/maps/katrina_la_sb-cc34.pdf. Accessed April 5, 2012.

Federal Emergency Management Agency. 2008. Preliminary Digital Flood Insurance Rate Map (DFIRM) Preliminary Revised Map No. 22087C0480D, April 5, 2012.

Louisiana Department of Natural Resources (LDNR). 2011. Permits/Mitigation Support Division. Website: <http://dnr.louisiana.gov/crm/coastmgt/coastmgt.asp>.

Louisiana Department of Environmental Quality. Air quality data.

Website: <http://www.deq.louisiana.gov/portal/tabid/37/Default.aspx?Search=non-attainment+areas>

Louisiana Department of Environmental Quality. Volunteer Remedial Program List.

Website: [http://www.deq.louisiana.gov/portal/Portals/0/Remediation Services/VRP](http://www.deq.louisiana.gov/portal/Portals/0/Remediation%20Services/VRP).

Louisiana Department of Environmental Quality. State Brownfield list.

Online Available: <http://www.deq.louisiana.gov/portal/tabid/2620/Default.aspx>.

Louisiana Department of Environmental Quality. Leaking Underground Storage Tank list.

Website: <http://www.deq.louisiana.gov>.

Louisiana Department of Environmental Quality (LDEQ). 2012. Electronic Document Management System.

Louisiana Department of Natural Resources (LDNR). 2012. Permits/Mitigation Support Division. Website: <http://dnr.louisiana.gov/crm/coastmgt/coastmgt.asp>.

Louisiana Department of Natural Resources. Coastal Zone Management Act.

Website: <http://dnr.louisiana.gov/crm/coastmgt/coastmgt.asp>.

Louisiana Department of Natural Resources, Office of Coastal Management.

Letter Correspondence 12/09/2011 from Karl L. Morgan, Acting Administrator.

Pagano, Frank, DHS FEMA Region VI, Memo, St. Bernard and Orleans Parishes Projects One Percent Annual Elevation, January 4, 2012.

Principal Environmental & Historic Preservation Laws.

Website: <http://www.fema.gov/plan/ehp/ehplaws/>, accessed April 2012.

U.S. Census Bureau. [Online]

Available: www.factfinder2.census.gov

U.S. Department of the Army, Corps of Engineers, New Orleans District. Letter dated January 5, 2012. Account number MVN-2011-03270-SE.

U.S. Environmental Protection Agency. 2006. Nonattainment Status for each Parish by year. [Online] Available: <http://www.epa.gov/oar/oaqps/greenbk/anay.html>.

U.S. Environmental Protection Agency (USEPA). 2010. Currently Designated Nonattainment Areas for All Criteria Pollutants.

Website: <http://www.epa.gov/oar/oaqps/greenbk/ancl.html>.

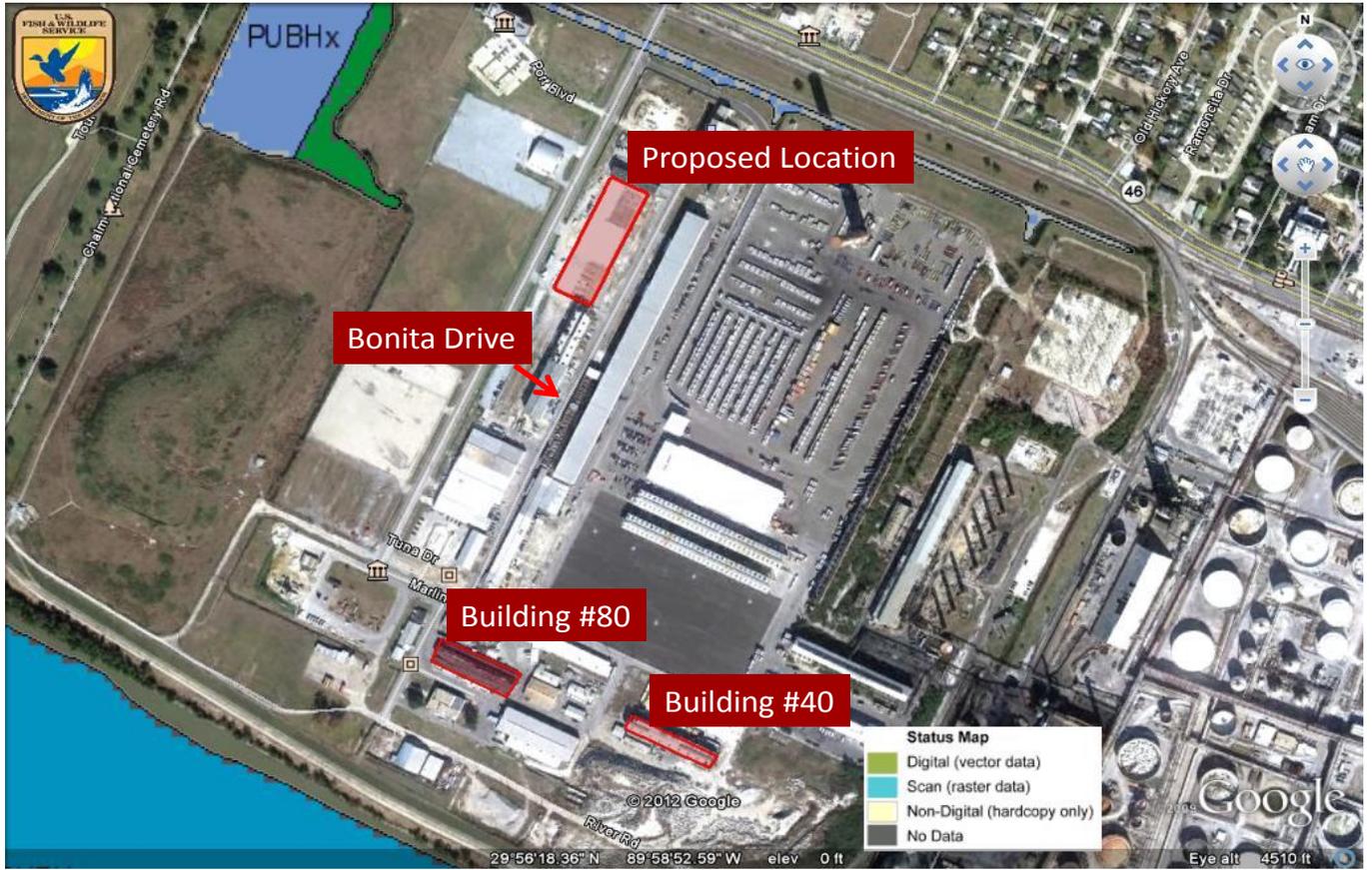
U.S. Fish and Wildlife Service. Endangered Species Data.

Website: <http://www.fws.gov/endangered/wildlife/htm>.

U.S. Fish and Wildlife Service, Louisiana Field Office. Letter dated December 6, 2011, Deborah A. Fuller.

Appendix A
Location Map

Note: The location map is included in the PDF version of this document



Appendix B
Agency Correspondence

Note: State and federal Agency correspondence is included in the PDF version of this document



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P. O. BOX 60267
NEW ORLEANS, LOUISIANA 701600267

JAN 05 2012

REPLY TO
ATTENTION OF

Operations Division
Operations Manager,
Completed Works

Mr. Joel Caldwell
FEMA
1 Seine Court
New Orleans, Louisiana 70114

Dear Mr. Caldwell:

This is in response to the Solicitation of Views request dated December 5, 2011, concerning the combining of two warehouse buildings for the Chalmette Terminal Warehouse at 560 Bonita Drive, at Chalmette, Louisiana, in St. Bernard Parish.

We have reviewed your request for potential Department of the Army regulatory requirements and impacts on any Department of the Army projects.

We do not anticipate any adverse impacts to any Corps of Engineers projects.

Based on review of recent maps, aerial photography, and soils data, we have determined that this property is not in a wetland subject to Corps' of Engineers jurisdiction. A Department of the Army permit under Section 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site.

You and your client are advised that this jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revision prior to the expiration date or the District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

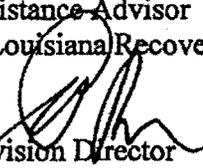
Off-site locations of activities such as borrow, disposals, haul-and detour-roads and work mobilization site developments may be subject to Department of the Army regulatory requirements and may have an impact on a Department of the Army project.



FEMA

January 4, 2012

MEMORANDUM FOR: John Connolly
Sr. Public Assistance Advisor
DHS/FEMA Louisiana Recovery Office

FROM: Frank Pagano 
Mitigation Division Director
DHS/FEMA Region 6

SUBJECT: ~~St. Bernard and Orleans~~ Parishes Projects One Percent Annual
Elevation

At your request, we have reviewed the projects you provided for consideration to be built to the 2006 Advisory Base Flood Elevation (ABFE). In accordance with the Best Available Data Guidance Memorandum issued on October 13, 2011, for areas of Greater New Orleans located within the recently constructed Hurricane and Storm Damage Risk Reduction System (HSDRRS) and based on the source adopted by St. Bernard and Orleans Parishes, we recommend using the 2006 ABFE's for all of the following locations:

| Applicant | Project Title | Proposed Location | Proposed Latitude | Proposed Longitude |
|---------------------------------|-------------------|--|-------------------|--------------------|
| St. Bernard Parish School Board | Elementary School | 75 E. Chalmette Circle, Chalmette, LA | 29.9471 | -89.9767 |
| FP&C | Bldg 26 | 6403 St. Claude Ave. New Orleans, LA | 29.9525 | -90.0104 |
| FP&C | MUC | 6405 St. Claude Ave. New Orleans, LA | 29.9592 | -90.0064 |
| FP&C | JFHQ A | 6407 St. Claude Ave. New Orleans, LA | 29.9572 | -90.0083 |
| FP&C | U3 & U5 | 6406 St. Claude Ave. New Orleans, LA | 29.9510 | -90.0110 |

Mr. John Connolly

January 4, 2012

Page 2

| | | | | |
|---|--------------------------------------|--|--------------------|---------------------|
| St Bernard Parish | New Health Units | 7718 West Judge Perez Drive, Chalmette LA | 29.9547 | -89.9884 |
| St. Bernard Parish Government | Torres Park Gazebo | Jean Lafitte Pky & Patricia St., Chalmette, LA | 29.9577 | -89.9786 |
| SBPG | Restroom Facility | 120 W. Agriculture Road, Chalmette, LA | 29.9587 | -89.9815 |
|  St. Bernard Port Harbor and Terminal District | Chalmette Terminal Warehouse | 500 Bond Drive Chalmette, LA | 29.9406 | -89.9821 |
| HANO | HANO Scattered Sites - Dubreuil | 2614 and 2616 Dubreuil Street, New Orleans, LA | 29.9735 | -90.0002 |
| St. Bernard Parish School Board | Elementary School | 4101 Mistrot St. Meraux, LA | 29.9382 | -89.9234 |
| St. Bernard Parish School Board | School Bus Garage & Storage Facility | 5920 First St., Violet, LA | 29.9023 | -89.9023 |
| St. Bernard Parish School Board | Lacoste Education Building | 1101 E. Judge Perez Dr. Chalmette, LA | 29.9392 | -89.9532 |
| St. Bernard Parish School Board | Cultural & Performing Arts Center | 1101 E. Judge Perez Dr. Chalmette, LA | 29.9392 | -89.9532 |
| St. Bernard Parish School Board | Lacoste Field House | 1101 E. Judge Perez Dr. Chalmette, LA | 29.9400 | -89.9527 |

Please contact Mr. Robert Heffner, of our Regulatory Branch by telephone at (504) 862-1288, or by e-mail at Robert.A.Heffner@usace.army.mil for questions concerning wetlands determinations or need for on-site evaluations. Questions concerning regulatory permit requirements may be addressed to Mr. Michael Farabee by telephone at (504) 862-2261 or by e-mail at Michael.V.Farabee@usace.army.mil.

Future correspondence concerning this matter should reference our account number MVN-2011-03270-SE. This will allow us to more easily locate records of previous correspondence, and thus provide a quicker response.

Sincerely,

A handwritten signature in cursive script that reads "Karen L. Oberlies".

Karen L. Oberlies
Solicitation of Views Manager



State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

12/09/2011

U.S. DEPARTMENT OF HOMELAND SECURITY - FEMA
1 SEINE CT.
NEW ORLEANS, LA 70114

RE: P20111566, Solicitation of Views
U.S. DEPARTMENT OF HOMELAND SECURITY - FEMA

Description: Proposed combination of two warehouse buildings, and installation of utilities, for the Chalmette Terminal Warehouse at 560 Bonita Dr. in Chalmette.

Location: 560 Bonita Drive Chalmette, 70044; Lat. 29° 56' 27.79"N, Long. -89° 58' 53.23"W.

Saint Bernard Parish, LA

Dear Joel Caldwell:

We have received your Solicitation of Views for the above referenced project, which has been found to be inside the Louisiana Coastal Zone. In order for us to properly review and evaluate this project, we require that a complete Coastal Use Permit Application packet (Joint Application Form, locality maps, project illustration plats with plan and cross section views, etc.) along with the appropriate application fee be submitted to our office. Using your complete application, we can provide you with an official determination, and begin the processing of any Coastal Use Permit that may be required for your project. You may obtain a free application packet by calling our office at (225) 342-7591 or (800)-267-4019, or by visiting our website at <http://www.dnr.state.la.us/crm/coastmgt/cup/cup.asp>.

We recommend that, during your planning process, you make every effort to minimize impacts to vegetated wetlands. As our legislative mandate puts great emphasis on avoiding damages to these habitats, in many cases the negotiations involved in reducing such disturbances and developing the required mitigation to offset the lost habitat values delay permit approval longer than any other factor. Additionally, the following sensitive features may require additional processing time by the appropriate resource agencies: The proposed work is located on the aboriginal homelands of the Chitimacha Tribe of Louisiana and within close proximity to the Central Wetlands Restoration, State Master Plan feature.

Should you desire additional consultation with our office prior to submitting a formal application, we recommend that you call and schedule a pre-application meeting with our Permit Section staff. Such a preliminary meeting may be helpful, especially if a permit application that is as complete as possible is presented for evaluation at the pre-application meeting.

If you have any questions, would like to request an application packet or would like to schedule a pre-application meeting, please contact Nicole Dandurand at (225) 342-1076 or monica.dandurand@la.gov.

Sincerely,

A handwritten signature in black ink that reads "Karl L. Morgan". The signature is written in a cursive style with a long, sweeping underline.

Karl L. Morgan
Administrator

Karl L. Morgan/nd

Attachments

Final Plats:

1) [P20111566](#) [Final Plats](#) [12/05/2011](#)

cc: Pete Serio, COE w/plats
Dave Butler, LDWF w/plats
Jessica Diez, OCM w/plats
Tim Killeen, CMD/FI w/plats
Saint Bernard Parish w/plats



State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

12/07/2011

U.S. DEPARTMENT OF HOMELAND SECURITY - FEMA
1 SEINE CT.
NEW ORLEANS, LA 70114

RE: P20111566, Solicitation of Views

U.S. DEPARTMENT OF HOMELAND SECURITY - FEMA

Description: Combine two warehouse buildings for the Chalmette Terminal Warehouse at 560 Bonita Dr. in Chalmette

Location: Lat 29° 56' 27.79"N / Long -89° 58' 53.23"W; 560 Bonita Drive Chalmette, 70044

Saint Bernard Parish, LA

Dear Joel Caldwell:

You are hereby advised that your application for a Coastal Use Permit (CUP) has been determined to be complete and review by the State for compliance with the Louisiana Coastal Resource Program (LCRP) and consistency with the federal Coastal Zone Management Act (CZMA) has begun. Additionally, it has been determined that your proposed activity is a use of state concern in accordance with Louisiana Revised Statute 49:214.5.

The Office of Coastal Management (OCM) has sent a copy of this permit application to the New Orleans District Corps of Engineers (NOD/COE). The NOD/COE and OCM will each process this application separately. Please be advised that if your project is located outside of the New Orleans District, it is your responsibility to apply to the appropriate COE District.

All correspondence and calls regarding this application should reference the Coastal Use Permit Number (P#) indicated above. Please note that all information concerning your application is in our database and is updated throughout the day as changes to the status of the application occur.

Your application can be found on our [Webpage](#).

Should you have any questions, please check the online database or contact the assigned permit analyst: Nicole Dandurand at (225) 342-1076 or monica.dandurand@la.gov. Be sure to reference the above Coastal Use Permit Number.

Sincerely,



Permit Coordinator

CM

cc: Pete Serio, COE

U.S. DEPARTMENT OF HOMELAND SECURITY - FEMA



BOBBY JINDAL
GOVERNOR

State of Louisiana
DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF WILDLIFE

ROBERT J. BARHAM
SECRETARY
JIMMY L. ANTHONY
ASSISTANT SECRETARY

Date December 9, 2011

Name Joel Caldwell

Company FEMA

Street Address 1 Seine Court

City, State, Zip New Orleans, La 70114

Project St. Bernard, Harbor & Terminal District
Chalmette Terminal Warehouse

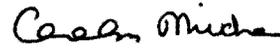
Project ID 6752011

Invoice Number 11120905

Personnel of the Habitat Section of the Coastal & Non-Game Resources Division have reviewed the preliminary data for the captioned project. After careful review of our database, no impacts to rare, threatened, or endangered species or critical habitats are anticipated for the proposed project. No state or federal parks, wildlife refuges, scenic streams, or wildlife management areas are known at the specified site within Louisiana's boundaries.

The Louisiana Natural Heritage Program (LNHP) has compiled data on rare, endangered, or otherwise significant plant and animal species, plant communities, and other natural features throughout the state of Louisiana. Heritage reports summarize the existing information known at the time of the request regarding the location in question. The quantity and quality of data collected by the LNHP are dependent on the research and observations of many individuals. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Louisiana have not been surveyed. This report does not address the occurrence of wetlands at the site in question. Heritage reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. LNHP requires that this office be acknowledged in all reports as the source of all data provided here. If at any time Heritage tracked species are encountered within the project area, please contact the LNHP Data Manager at 225-765-2643. If you have any questions, or need additional information, please call 225-765-2357.

Sincerely,


Amity Bass, Coordinator
Natural Heritage Program



BOBBY JINDAL
GOVERNOR

State of Louisiana
DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF WILDLIFE

ROBERT J. BARHAM
SECRETARY
JIMMY L. ANTHONY
ASSISTANT SECRETARY

INVOICE

RETAIN THIS COPY FOR YOUR RECORDS

Date December 9, 2011
Invoice Number 11120905
Project St. Bernard, Harbor & Terminal District
Chalmette Terminal Warehouse
Name Joel Caldwell
Company FEMA
Street Address 1 Seine Court
City, State, Zip New Orleans, La 70114
Number of Quads Reviewed 1
Total Due \$0.00

Payment should be made to "Louisiana Department of Wildlife & Fisheries" within 30 days of the date of this invoice. Please include the invoice number on your check and return a copy of this invoice with your remittance to the following address:

Louisiana Department of Wildlife & Fisheries
Attn: Jennifer Riddle
P.O. Box 80399
Baton Rouge, LA 70898-0399

Should you have any questions regarding this invoice, for review of the Louisiana Natural Heritage database for information on known sensitive elements at a charge of \$20.00 per quad reviewed, please contact LNHP at (225) 765-2357.



BOBBY JINDAL
GOVERNOR

State of Louisiana
DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF WILDLIFE

ROBERT J. BARHAM
SECRETARY
JIMMY L. ANTHONY
ASSISTANT SECRETARY

INVOICE

RETURN THIS COPY OF INVOICE WITH PAYMENT

Date December 9, 2011

Invoice Number 11120905

Project St. Bernard, Harbor & Terminal District
Chalmette Terminal Warehouse

Name Joel Caldwell

Company FEMA

Street Address 1 Seine Court

City, State, Zip New Orleans, La 70114

Number of Quads Reviewed 1

Total Due \$0.00

Payment should be made to "Louisiana Department of Wildlife & Fisheries" within 30 days of the date of this invoice. Please include the invoice number on your check and return a copy of this invoice with your remittance to the following address:

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Attn: Jennifer Riddle
P.O. Box 80399
Baton Rouge, LA 70898-0399

Should you have any questions regarding this invoice, for review of the Louisiana Natural Heritage database for information on known sensitive elements at a charge of \$20.00 per quad reviewed, please contact LNHP at (225) 765-2357.

received
12/5/11
AT

U.S. Department of Homeland Security
Federal Emergency Management Agency
FEMA-DR 1603 LA
1 Seine Court
New Orleans, LA 70114

This project has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed,
 Will have no effect on those resources
 Is not likely to adversely affect those resources.
This finding fulfills the requirements under Section 7(a)(2) of the Act.

Debra A. Fuller *Dec 6, 2011*
Acting Supervisor
Louisiana Field Office
U.S. Fish and Wildlife Service
Date

December 5, 2011

MEMORANDUM TO: See distribution

SUBJECT: Scoping Notification/ Solicitation of Views – St. Bernard, Harbor and Terminal District (Chalmette Terminal Warehouse)

To Whom It May Concern:

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) is mandated by the U.S. Congress to administer Federal disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. The Stafford Act authorizes FEMA's Public Assistance Program to provide emergency temporary administrative, educational, medical, or other support facilities for areas impacted by disasters while repairs and reconstruction of storm damaged facilities are being undertaken.

The following scope of work and attached aerial photograph correspond to a proposed project for which FEMA funding has been requested. St. Bernard Port, Harbor and Terminal District propose the combination of two warehouse buildings on 560 Bonita Drive, Chalmette, LA 70044. The Port will demolish one building and the other has been rendered safe and secure. An 86,000 square foot pre-engineered metal building would be located on a pre-existing foundation that is currently under repair. The building would be used for warehouse space and office space. Ground disturbing activities would include the addition of water and sewer. To ensure compliance with the National Environmental Policy Act (NEPA), Executive Orders, and other applicable Federal regulations, we will be preparing an Environmental Assessment (EA). To assist us in preparation of the EA, we request that your office review this project information for a determination as to the requirements of any formal consultations, regulatory permits, determinations, or authorizations.

Please respond within 30 calendar days of the date of this scoping notification. If our office receives no comments, we will assume that your agency does not object to the project as proposed.

Comments may be faxed to (504) 762-2323, emailed to joel.caldwell@dhs.gov, or mailed to the attention of Joel Caldwell, Environmental Section, at the address above.

For questions regarding this matter, please contact Joel Caldwell at (504) 762-2254.

Distribution: Louisiana Department of Environmental Quality, U.S. Environmental Protection Agency, National Oceanic and Atmospheric Administration – National Marine Fisheries Service, U.S. Army Corps of Engineers, Louisiana Department of Wildlife and Fisheries, Louisiana Department of Natural Resources, and U.S. Fish and Wildlife Service

Tiffany Spann-Winnfield
Deputy Environmental Liaison Officer

Appendix C
Eight Step Decision Making Process

Note: The 8 step decision making process is included in the PDF version of this document

**ST. BERNARD PARISH
ENVIRONMENTAL ASSESSMENT (EA)
ST. BERNARD PARISH PORT, HARBOR & TERMINAL DISTRICT
REQUEST FOR AN IMPROVED/CHANGE OF
LOCATION/CONSOLIDATION/RECONSTRUCTION PROJECT REVIEW**

Date: 03/13/2012, 04/04/12, 04/05/12

Prepared by: June R. Griffin, CFM, FEMA, Environmental Department

Request for: An Improved Project - A/I Database #: 1566; FEMA-1603-DR-LA

Applicant: St. Bernard Parish Port, Harbor & Terminal District

Project Title: St. Bernard Parish Port, Chalmette Terminal Warehouse

FIPS #: 087-UC8WS-00; PWs #: 2480 & 2622

Proposed Location – 560 Bonita Drive, Chalmette, LA. 70044

Latitude 29.93924 Longitude -89.98253

Floodplain Review:

Proposed site is located within a Zone “AE”, EL 8; per Preliminary Digital Flood Insurance Rate Map (DFIRM) Panel #: 22087C0480 D, dated 10.30.08, North American Vertical Datum (NAVD). The proposed site is located within and ABFE 3 ft. above Highest Existing Adjacent Grade (HEAG) per ABFE Map-LA-CC34, dated 06.05.06. This By Memorandum of January 04, 2012, from Frank Pagano, Mitigation Division Director of FEMA Region V1 to John Connolly, Senior Public Assistance Director Advisor, Louisiana Recovery Office; elevation to the 2008 Preliminary DFIRM is not required, per memo it is recommended the facility be constructed to the 2006 ABFE of 3 ft. above the (HEAG) in addition, the applicant must coordinate all reconstruction activities with the local floodplain administrator regarding floodplain permit(s) prior to start of any activities, and remain in compliance with formally adopted local floodplain ordinances. Applicant is required to coordinate with the local Floodplain Administrator regarding Floodplain Permit(s) prior to the start of any activities. The applicant is also responsible for obtaining and retaining all permits and certificates for verification. All coordination pertaining to these permit(s) should be documented to the local Floodplain Administrator and copies provided to LA GOHSEP and FEMA as part of the permanent project files. 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 (mechanical & electrical) should be, where possible, wet or dry-proofed, elevated, or relocated to or above the BFE per the 2006 ABFE maps. In compliance with EO11988, an 8-Step Process, showing considered alternatives, was completed and is attached or on file. As per 44 CFR 9.12, a Cumulative Final Public Notice was published 10/26/07 - 11/09/07 and is attached or on file.

Scope of Work (SOW): St. Bernard Parish enrolled in the National Flood Insurance Program (NFIP), 03/13/70. The project is a request for an Improved Project. St. Bernard Parish is requesting to relocate/consolidate/reconstruct St. Bernard Parish Port, Harbor & Terminal District Warehouse buildings #80 & #40 and combine the two warehouse buildings into one warehouse building located on parish owned property at 560 Bonita Drive, Chalmette, LA. 70044. The foundations of the two donor warehouses would not satisfy load bearing requirements needed for storage services and would therefore need replacement. The new warehouse will consolidate functions of the pre-existing warehouses in one location and its

foundation will meet needed load bearing standards. The consolidated warehouse is a cost effective and efficient means of restoring port storage operations that were damaged as a result of Hurricane Katrina. The port will demolish building #40 & building #80, currently being used for temporary facilities for the Sheriff Department. Building #40 has been rendered safe and secure. The disposition of building #80 will be determined upon the Sheriff Department departing the building. In compliance with EO11988, an EA 8-Step Process, showing considered alternatives, was completed and is attached. 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 (mechanical & electrical) should be, where possible, wet or dry-proofed, elevated, or relocated to or above the BFE per the ABFE Maps. As per 44 CFR 9.12, a Cumulative Final Notice was published 10/26/07-11/09/07.

EXECUTIVE ORDER 11988 – FLOODPLAIN MANAGEMENT

EIGHT-STEP DECISION MAKING PROCESS [EA]

Executive Order 11988 (Floodplain Management) requires federal Agencies “to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of the floodplain and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” FEMA’s implementing regulations are at 24 CFR Part 9, which includes an Eight Step decision making process for compliance with this part.

This Eight Step Process is applied to the proposed St. Bernard Parish Port, Harbor & Terminal Warehouse Building. The proposed project area is within the 100-year floodplain. The steps in this decision making process is as follows.

Step 1: Determine if the Proposed Action is Located in the Base Floodplain

The St. Bernard Parish Port, Chalmette Terminal Warehouse involves the relocation/consolidation/reconstruction of warehouse building #40 & warehouse building #80, which is located within the 100 year floodplain. Proposed site is located within an “AE” Zone, EL 8, per Preliminary Digital Flood Insurance Rate Map (DFIRM) Panel #: 22087C0480 D, dated 10/30/08; per Advisory Base Flood Elevation (ABFE) Map LA-CC34, dated 06/05/06, 3 feet above Highest Existing Adjacent Grade (HEAG). The floodplain in relation to the community and the proposed location for the St. Bernard Parish Port, Harbor & Terminal Warehouse are depicted on Figures 4 & 5 of the Environmental Assessment.

Step 2: Early Public Notice (Preliminary Notice)

In general, FEMA has an obligation to provide adequate information to enable the public to have impact on the decision outcome for all action having the potential to affect, adversely, or be affected by floodplains or wetlands that it proposes. FEMA shall provide the public with adequate information and opportunity for review and comment at the earliest possible time and throughout the decision-making process; and upon completion of this process, provide the public with an accounting of its final decision (see §9.12). A Cumulative Initial Public Notice was published statewide 11/7/2005 – 11/9/2005. Additional public notice shall be provided as required by the Executive Order.

Step 3: Identify and Evaluate Alternatives to Locating in the Base Floodplain.

The proposed building is located within the 100-year floodplain. It is the intention of the St. Bernard Port Harbor & Terminal District to relocate/consolidate/reconstruct St. Bernard Parish Port, Harbor & Terminal District Warehouse buildings #80 & #40 and combine the two warehouse buildings into one 86,000 square foot warehouse facility located on parish owned property at 560 Bonita Drive, Chalmette, LA. 70044. The foundations of the two donor warehouses would not satisfy load bearing requirements needed for storage services and would therefore need replacement. The new warehouse will consolidate functions of the pre-existing

warehouses in one location and its foundation will meet needed load bearing standards. The consolidated warehouse is a cost effective and efficient means of restoring port storage operations that were damaged as a result of Hurricane Katrina. The port will demolish building #40 & building #80, currently being used for temporary facilities for the Sheriff Department. Building #40 has been rendered safe and secure. The disposition of building #80 will be determined upon the Sheriff Department departing the building. Relocating/consolidation/reconstruction of the Chalmette Terminal Warehouse Building to its proposed location is not likely to have an adverse effect on floodplain elevations. Therefore, it will not be detrimental to floodplain functions and values. Alternatives to the proposed Chalmette Terminal Warehouse Building were evaluated and determined to be infeasible.

Step 4: Identify Impacts of Proposed Action Associated With Occupancy or Modification of the Floodplain.

Impact on Natural Function of the Floodplain/Impact of the Flood Water on the Proposed Facility

In compliance with FEMA policy implementing EO 11988, Floodplain Management, the proposed project was reviewed for possible impacts associated with occupancy or modification to a floodplain. The Chalmette Terminal Warehouse Building would not likely affect the functions and values of the 100-year floodplain as the structure would not impede or redirect flood flows. The proposed relocation/consolidation/reconstruction of the Chalmette Terminal Warehouse Building will be located within neighborhoods among existing residential and recreational structures. Therefore, they will not likely have measurable effect on floodplain functions and values. The proposed project is not likely to impede or redirect flood flows.

Step 5: Design or Modify the Proposed Action to Minimize Threats to Life and Property and Preserve its Natural and Beneficial Floodplain Values

New construction must be compliant with current codes and standards. St. Bernard Parish Port, Harbor & Terminal is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. 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 (mechanical and electrical) should be, where possible, wet or dry-proofed, elevated, or relocated to or above the BFE.

Step 6: Re-evaluate the Proposed Action

The proposed project is not likely to have an adverse effect on the floodplain, and will not facilitate development in the floodplain to any greater degree than non-floodplain areas of the community. The proposed project is not likely to aggravate the current flood hazard because the facility is not likely to impede or redirect flood flows. The project is not likely to disrupt floodplain values because it is not likely to change water levels in the floodplain, and will not reduce habitat in the floodplain. Therefore, it is still practicable to construct the proposed project within the floodplain.

Alternatives consisting of locating the project outside the floodplain or taking “no action” are not practicable.

Step 7: Findings and Public Explanation (Final Notification)

National Environmental Policy Act (NEPA) Environmental Assessment (EA) has been drafted to determine if the reconstruction of the Chalmette Terminal Warehouse Building, as described, will have the potential for significant adverse effects on the quality of the human and natural environment. The results of the investigation are being used to make a decision whether to initiate preparation of an Environmental Impact Statement or to prepare a Finding of No Significant Impact. The availability of the Draft EA will be published Friday, April 20, 2012 in the local newspaper, The St. Bernard Voice announcing the availability of the Draft EA for public review at the St. Bernard Parish Public Library at 2600 Palmisano Boulevard, Chalmette, LA 70043-3666, (hours are 9 a.m. - 7 p.m., Mon. - Thurs., 9 a.m. - 5 p.m., Fri. & Sat.). A 15 day comment period will follow the public notice publication.

After evaluating alternatives, including impacts and mitigation opportunities FEMA has determined that the proposed project is the most practicable alternative. The No Action Alternative would leave the buildings in a damaged and unsafe condition, which poses health and safety issues.

Step 8: Implement the Action

The proposed St. Bernard Parish Port, Harbor & Terminal Warehouse Building will be constructed in accordance with applicable floodplain development requirements.

Appendix D
Public Notice

**FEMA PUBLIC NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL ASSESSMENT AND
DRAFT FINDING OF NO SIGNIFICANT IMPACT
FOR
REPLACEMENT AND RELOCATION
OF TWO WAREHOUSE BUILDINGS AT THE
ST. BERNARD PORT, HARBOR AND TERMINAL (SBPHT)
CHALMETTE TERMINAL FACILITY
ST. BERNARD PARISH, LOUISIANA**

Interested parties are hereby notified that the Federal Emergency Management Agency (FEMA) has prepared a Draft Environmental Assessment (EA) for a proposed replacement and relocation of two damaged warehouses at the Hurricane Katrina-damaged SBPHT Chalmette Terminal facility, located at 200 Marlin Drive, Chalmette, LA 70043. The SBPHT proposes to replace the damaged warehouses, approximately 25,000 SF and 29,000 SF respectively, with a single new warehouse (approximately 86,000 SF). The new warehouse would be constructed approximately 2,000 feet north of the damaged structures, at 560 Bonita Drive, Chalmette, Louisiana 70044 (latitude -29.941476; longitude -89.982476), and serve the same function as the damaged facilities. Project work would include installation of a pre-engineered building and all associated appurtenances to meet current codes, standards, and design criteria.

St. Bernard Port, Harbor and Terminal seeks Federal grant funds for this action, eligible for repairs or replacement under a Presidential Disaster Declaration signed on August 29, 2005 (FEMA-1603-DR-LA). Per the National Environmental Policy Act (42 U.S.C. 4371 *et seq.*), and associated environmental statutes, a Draft EA has been prepared to evaluate the action's potential impacts on the human and natural environment. The Draft EA summarizes the purpose and need, alternative site analysis, affected environment, and potential environmental consequences associated with the proposed action.

The public notice will be published in the St. Bernard Voice, April 20, 2012. The comment period will begin on this date and conclude 15 days later on May 5, 2012. Written comments on the Draft EA or related matters can be faxed to FEMA's Louisiana Recovery Office at (504) 762-2323; or mailed to FEMA Louisiana Recovery Office, 1 Seine Court, New Orleans, Louisiana 70114. The Draft EA can be viewed and downloaded from FEMA's website: <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>. The Draft EA is available for public review at the St. Bernard Parish Library at 2900 Palmisano Boulevard, Chalmette, Louisiana 70043.

Based on FEMA's findings to date, no significant adverse environmental effects are anticipated. However, if FEMA receives new information that results in a change from no adverse effects then FEMA would revise the findings and issue a second public notice allowing time for additional comments.

If no substantive comments are received, the Draft EA and associated Draft Finding of No Significant Impact (FONSI) will become final and this initial Public Notice will also serve as the final Public Notice. Substantive comments will be addressed as appropriate in the final documents.