

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
FINDING OF NO SIGNIFICANT IMPACT (FONSI)
ESCAMBIA COUNTY DELANO STREET DRAINAGE IMPROVEMENTS
ESCAMBIA COUNTY**

BACKGROUND

On May 6, 2014, President Obama declared a major disaster (FEMA-4177-DR-FL) for the State of Florida due to severe storms, tornadoes, straight-line winds, and flooding. This disaster declaration authorized the Federal Emergency Management Agency (FEMA) to provide federal assistance to designated disaster areas. Escambia County (the applicant) is seeking funding from FEMA in the form of Hazard Mitigation Grant Program (HMGP) funding to install drainage improvements for the Delano Street Area.

Due to the events under the disaster declaration, the Delano Street Drainage Improvement Area experienced severe flooding in the area. The flooding caused sinkholes, destroyed several roads, necessitated water rescue missions, closed local and interstate roads, and potentially caused a gas leak in the basement of the Escambia County Sherriff’s Department Central Booking and Detention Center (CBDF) that resulted in an explosion that rendered the building a total loss. The community has identified the need to reduce flood risk within the Delano Street Area.

The proposed work is to create four new dry retention ponds and formalize and expand one existing pond. The new pond locations are as follows: the Herman Pond site, the CBDF Pond, the Fairfield Pond, and the Palafox Pond. The existing pond to be formalized and expanded is the Herman Pit. Additional activities include the replacement of the L Street Pond’s existing cistern and pumping system with a gravity flow connection, the acquisition and demolition of three commercial structures, clearing and grubbing, sodding, and installation of pipes, manholes, headwall, mitered end sections, and other necessary ties to existing infrastructure.

Pond Site	Location Details	GPS Coordinates
Herman Pond	A 2.9-acre county-owned parcel located on Herman Street northwest of the intersection with Pace Boulevard	NW: 30.4498907, -87.2415701 NE: 30.4498553, -87.2402508 SE: 30.4490310, -87.2398663 SW: 30.4490755, -87.2415980
CBDF Pond	A 4.7-acre county-owned site located at 1200 West Leonard Street	NW: 30.4424639, -87.2333959 NE: 30.4423722, -87.2318991 SE: 30.4415386, -87.2319355 SW: 30.4415902, -87.2335051
Fairfield Pond	A 9.5-acre site located south and west of the county Animal Shelter along Fairfield Drive	NW: 30.4472819, -87.2329036 NE: 30.4462615, -87.2308243 SE: 30.4457567, -87.2314531 SW: 30.4459856, -87.2329689

Pond Site	Location Details	GPS Coordinates
Palafox Pond	A 4.08- acre proposed pond located along Herman Street starting near the intersection with N Palafox Street and ending near Sycamore Drive	N: 30.4515210, -87.2276153 E: 30.4510429, -87.2274181 SE: 30.4493972, -87.2299890 SW: 30.4497503, -87.2302265
Herman Pit	A county-owned site that was a borrow pit established for the construction of Pace Boulevard by Florida Department of Transportation (FDOT) and is located near the intersection of North Pace Boulevard and West Herman Street	NW: 30.4502868, -87.2391990 NE: 30.4502470, -87.2373956 SE; 30.4488398, -87.2374420 SW: 30.4489898, -87.2392350
L Street Pond	A county-owned site located on the southeast corner of Leonard Street and L Street, adjacent to Englewood Park	NW: 30.4413022, -87.2348399 NE: 30.4413022, -87.2345424 SE; 30.4410166, -87.2345543 SW: 30.4410226, -87.2348399

Public notice is posted at the Escambia County Central Office Complex (COC), 3363 West Park Place, Pensacola, FL 32505, and on FEMA’s website. The draft FEMA Environmental Assessment (EA) is available for viewing at the following website:

https://www.fema.gov/sites/default/files/documents/fema_oehp-escambia-county-draft-hmgp-4177-0018-r-ea_9-1-21.pdf

FINDINGS

The proposed action as described in the EA will impact, noise, wetlands, surface water, floodplains, groundwater, vegetation, threatened and endangered species, hazardous materials and solid waste, utilities, land use, transportation and traffic, and socioeconomics. Short-term impacts to noise, vegetation, threatened and endangered species, utilities, and transportation and traffic are anticipated. Impacts to air quality, geology and soil, fish and wildlife, the Comprehensive Environmental Response, Compensation, and Liability Act (i.e., Superfund sites), and occupational health and safety are negligible and not anticipated to be long-term. Long-term positive impacts to surface water, floodplains, hazardous materials and solid waste, and socioeconomics are expected.

The proposed action’s cumulative effects included the impacts of the relocation of the CBDF and various road resurfacing of L Street. In consideration of the overall impacts of the proposed project in relation to impacts from past, present, and reasonably foreseeable future activities, the proposed action is not expected to have significant adverse cumulative impacts on any resource. Previous assessments were factored into this evaluation and helped determine the outcome of the Finding of No Significant Impact.

CONDITIONS

The following conditions must be met as part of this project. Failure to comply with these conditions may jeopardize the receipt of federal funding:

- The applicant will maintain the Northwest Florida Water Management District General Environmental Resource Permit (Permit No. GEN-033-285757-1) and comply with all the conditions of the permit.
- Appropriate dewatering permits must be obtained prior to dewatering activities.
- The applicant will comply with the following conditions adopted from FEMA's Programmatic Biological Opinion with USFWS, *FEMA-funded repair and replacement of preexisting facilities in Florida*, and included in an informal consultation with USFWS:
 - a. An eastern indigo snake protection/education plan provided to FEMA by the Service shall be distributed to all construction personnel. The educational material for the plan will consist of a combination of posters and pamphlets. Informational signs should be posted throughout the construction site and along any proposed access road to contain the following information:
 - i. A description of the eastern indigo snake, its habits, and protection under Federal law;
 - ii. Instructions not to injure, harm, harass or kill this species;
 - iii. If a snake is observed, directions to cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site on its own before resuming clearing;
 - iv. Telephone numbers of pertinent agencies to be contacted if a dead eastern indigo snake is encountered. The dead specimen should be thoroughly soaked in water and then frozen.
 - b. If not currently authorized through an Incidental Take Statement in association with a Biological Opinion, only individuals who have been either authorized by a section 10(a)(1)(A) permit issued by the Service, or by the State of Florida through the Florida Fish and Wildlife Conservation Commission (FWC) for such activities, are permitted to come in contact with an eastern indigo snake.
 - c. An eastern indigo snake monitoring report shall be submitted to the appropriate Florida Field Office within 60 days of the conclusion of clearing phases. The report shall be submitted whether or not eastern indigo snakes are observed. The report should contain the following information:
 - i. Any sightings of eastern indigo snakes and
 - ii. Other obligations required by the FWC, as stipulated in the permit
 - d. No work shall be conducted within 2,500 feet of a nesting wood stork colony site unless approval is provided by the USFWS.

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- e. The work shall not cause negative impacts to wood stork's nesting habitat and nearby vegetative cover or vegetation used for nest building. No work shall occur within 2,500 feet of a nesting colony.
- f. The work shall not result in wetland loss within a wood stork's nesting colony site.
- g. The work shall not result in negative impacts to the wood stork's nesting habitat, vegetation cover, or the nearby vegetation used to collect nesting material or for roosting within 2,500 feet of the nesting colony site
- h. Where work results in habitat loss, mitigation shall include restoration or creation ratio of 1:1 like for the wetlands within 2,500 feet of the wood stork's nesting colony site.
- If gopher tortoises or burrows are found at the project locations and burrows cannot be permanently avoided by 25 feet or more, an appropriate gopher tortoise permit is required.
- The applicant will follow the conditions below set forth by the State Historic Preservation Office (SHPO):
 - a) If human remains or intact archaeological deposits are uncovered, work in the vicinity of the discovery will stop immediately and all reasonable measures to avoid or minimize harm to the finds will be taken. The applicant will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. The applicant's contractor will provide immediate notice of such discoveries to the applicant. The applicant shall contact the Florida Division of Historic Resources and FEMA within 24 hours of the discovery. Work in the vicinity of the discovery may not resume until FEMA has completed consultation with SHPO, Tribes, and other consulting parties as necessary
 - b) In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Florida Statutes, Section 872.05.
 - c) Any changes to the approved scope of work will require submission to, and evaluation and approval by, the State and FEMA, prior to initiation of any work, for compliance with Section 106.
 - d) Offsite fill will come from either a commercial source or privately owned borrow pit where the fill is not obtained by the horizontal expansion of the pre-existing pit.
 - e) If any human remains or Native American Graves Protection and Repatriation Act items are encountered, work would stop and the Muscogee (Creek) Nation would be consulted with immediately.
- If any archaeological, historical, or burial resources are discovered, the Seminole Tribe of Florida will be consulted immediately.

- Handling, storage, and disposal of hazardous materials and wastes during construction activities, including measures to prevent releases, must be conducted in accordance with all applicable environmental compliance regulations.
- Asbestos-containing material and lead-based paint surveys must be conducted prior to demolition of any existing structures. Any necessary asbestos or lead-based paint abatement must be conducted in accordance to federal, state, and local abatement and disposal requirements.
- Non-hazardous solid waste generated during construction must be disposed of at an offsite landfill, recycled, or reused as appropriate.
- The applicant will maintain the FDOT drainage connection permit (Permit No. 2019-D-395-00012) and comply with all of the conditions in the permit.

CONCLUSION

Based on the findings of the EA, coordination with the appropriate agencies, comments from the public, and adherence to the project conditions set forth in this FONSI, FEMA has determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment, nor does it have the potential for significant cumulative effects. As a result of this FONSI, and in accordance with FEMA Instruction 108-1-1, an EIS will not be prepared, and the proposed project as described in the attached EA may proceed.

APPROVAL

Larissa Hyatt
Water Resources Specialist
FEMA, Office of Environmental Planning and
Historic Preservation

Date _____