

**FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
 FINDING OF NO SIGNIFICANT IMPACT
 ORLO VISTA NEIGHBORHOOD DRAINAGE IMPROVEMENTS
 ORANGE COUNTY, FLORIDA
 HMGP 4337-0023-R**

BACKGROUND

On September 10, 2017, President Trump signed a disaster declaration (FEMA-4337-DR-FL) for the State of Florida due to damages caused by Hurricane Irma between September 4, 2017 and October 18, 2017. This disaster declaration authorized the Department of Homeland Security’s Federal Emergency Management Agency (FEMA) to provide federal assistance to the designated areas. Orange County is seeking funding from FEMA in the form of Hazard Mitigation Grant Program (HMGP) funding to reduce flood risk in the Orlo Vista neighborhood.

The Orlo Vista neighborhood experienced excess rainfall on September 11, 2017 from Hurricane Irma, overwhelming the drainage pumps and causing three ponds to overflow and flood into the neighborhood. Approximately 500 homes were flooded and over 200 people were rescued due to this flooding event.

The proposed work is to excavate three existing ponds to increase depth and capacity, decommission the existing pump station, and constructing a new pump station and force main. The proposed project would provide protection against a 100-year storm event. See Table 1.0 for project location information.

Table 1.0: Project Location GPS Coordinates for the Three Ponds, Pump Station, and Force Main

Project Locations	GPS Coordinates	
West Pond	28.546001, -81.455712	
North Pond	28.547016, -81.453103	
South Pond (Lake Venus)	28.545055, -81.452897	
Pump Station	28.544284, -81.454419	
Force Main	Start	28.544264, -81.454365
	End	28.541354, -81.4541833

A public notice was posted in the Orlando Sentinel on October 24, 2021, at the project location, and on FEMA’s website. The Florida Division of Emergency Management (FDEM) and FEMA draft Environmental Assessment (EA) is available for viewing at the following website:

https://www.fema.gov/sites/default/files/documents/fema_OEHP-environmental-assessment-orlo-vista-neighborhood-drainage-improvements-Orange-County-Florida-FEMA-DR-4337-FL_102021.pdf

FINDINGS

The Proposed Action as described in the EA will impact geology and soils, air quality, climate change, water quality, floodplains, wetlands, coastal resources, biological resources, noise, transportation, environmental justice, and hazardous materials. Short-term impacts to noise, air quality, climate change, water quality, wildlife and fish, vegetation, transportation and traffic, and hazardous materials. Impacts to wild and scenic rivers, coastal barrier resources, invasive species, threatened and endangered species, essential fish habitat, cultural resources, land use, and utilities. Long-term beneficial impacts to floodplains, environmental justice, hazardous materials, and public health and safety are expected.

In consideration of the overall impacts of the proposed project in relation to impacts from past, present, and foreseeable future activities, the proposed action is not expected to have significant adverse cumulative impacts on any resource.

CONDITIONS

- Orange County will maintain the Florida Department of Environmental Protection (FDEP) Generic Permit for Discharge of Ground Water from Dewatering Operations Permit (Number FLG072449) issued on June 20, 2019 and comply with all of the conditions of the permit. This permit is issued under the provisions of Section 403.0885, Florida Statutes (F.S), and applicable rules of the Florida Administrative Code (F.A.C.). Coverage under this permit constitutes authorization to discharge to waters of the State pursuant to the Department's federally approved National Pollutant Discharge Elimination System (NPDES) program. See Appendix H.
- Orange County will maintain South Florida Water Management District (SFWMD) Individual Environmental Resource Permit (Number 48-103547-P) issued on November 18, 2020 and comply with all of the conditions of the permit. This permit is issued under the provisions of Chapter 373, Part IV, of the F.S. and the rules in Chapter 62-330 of the F.A.C., and constitutes certification of compliance with state water quality standards under section 401 of the Clean Water Act, 33 U.S.C. 1341, and a finding of consistency with the Florida Coastal Management Program. See Appendix I.
- Orange County will maintain USFWS Short-Term Eagle Incidental Take Permit (Number MB89957D) issued on June 8, 2021 and comply with all of the conditions of the permit. See Appendix O.
- Orange County will follow the applicable USFWS Nationwide Standard Conservation Measures as listed in Appendix G.
- Orange County will follow the conditions set forth by the State Historic Preservation Officer (SHPO):
 - 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. 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.

- 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.
- 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.

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

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