

Draft Environmental Assessment

Val Reiss Park

St. Bernard Parish

FEMA-1603-DR-LA

August, 2008



FEMA

U.S. Department of Homeland Security
Louisiana Transitional Recovery Office
New Orleans, Louisiana 70114

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LIST OF ACRONYMS

ABFE	Advisory Base Flood Elevation
APE	Area of Potential Effect
BMP	Best Management Practices
CAA	Clean Air Act
CBRA	Coastal Barrier Resources Act
CBRS	Coastal Barrier Resources System
CUP	Coastal Use Permit
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
EA	Environmental Assessment
EDMS	Electronic Document Management System
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
GOHSEP	Governor's Office of Homeland Security and Emergency Preparedness
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NOAA	National Oceanic & Atmospheric Administration
NRHP	National Register of Historic Places
NRCS	Natural Resources Conservation Service
OSHA	Occupational Safety and Health Act
PA	Public Assistance
RCRA	Resource Conservation and Recovery Act
RHA	Rivers and Harbors Act
SHPO	State Historic Preservation Office/Officer
US	United States
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
VRP	Volunteer Remedial Program
WSRA	Wild and Scenic Rivers Act

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**ENVIRONMENTAL ASSESSMENT
FOR
VAL REISS PARK
ST. BERNARD PARISH, LOUISIANA
FEMA-1603-DR-LA**

1.0 INTRODUCTION

1.1 Project Authority

Hurricane Katrina, a Category four hurricane with a storm surge above normal high tide levels, moved across the Louisiana, Mississippi and Alabama gulf coasts on August 29, 2005. Maximum sustained winds at landfall were estimated at 140 miles per hour. President Bush declared a major disaster for the State of Louisiana due to damages from Hurricane Katrina and signed a disaster declaration (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. FEMA proposes to administer this disaster assistance 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 to repair, restore and replace facilities damaged as a result of the declared event.

This Draft Environmental Assessment (DEA) has been prepared in compliance with the National Environmental Policy Act of 1969 (NEPA); the President's Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508); and FEMA's regulations implementing NEPA (44 CFR Parts 9 and 10). The purpose of this DEA is to analyze potential environmental impacts of the proposed project at St. Bernard Parish's Val Reiss Park. FEMA will use the findings in this DEA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

1.2 Background

On August 29, 2005, the tidal surge and high velocity winds from Hurricane Katrina resulted in extensive damage to Val Reiss Park located at 1101 Magistrate St., Chalmette, LA. Val Reiss Park was owned and operated by St. Bernard Parish at the time of the disaster. Damage to the thirty-three acre park includes fencing, lighting, walking trails, parking lots, sheds, baseball fields, bleachers, and dugouts. The remaining portion of the park is dominated by vegetation.

2.0 PURPOSE AND NEED

As a result of Hurricane Katrina, park facilities throughout St. Bernard Parish were heavily damaged. The purpose of the proposed action is to capitalize on the central location of Val Reiss Park by enhancing its functional capabilities. St. Bernard Parish Government has determined that the centralized location of Val Reiss Park would better

serve the post Katrina population of the parish, than would replacement of all the parks in St. Bernard Parish as they existed prior to the disaster.

3.0 ALTERNATIVES

3.1 Alternative 1 - No Action

Under this alternative, St. Bernard Parish would not enhance Val Reiss Park. This alternative would result in non-attainment of the stated project goal of facilitating public recreation for the residents of St. Bernard Parish. The community would have little to no recreational use for the park as it currently exists.

3.2 Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action)

St. Bernard Parish has prepared and submitted an application to FEMA for funding under FEMA's Public Assistance Program being administered in response to FEMA-1603-DR-LA. The applicant proposes to enhance the current use of Val Reiss Park.

The proposed project location is a parcel of land currently owned by St. Bernard Parish. The parcel covers an area of approximately thirty-three (33) acres, located at 1101 Magistrate St. in Chalmette, Louisiana 70043. The site is currently not in use; however, the original park consisted of four baseball fields, one football/soccer field, a remote control car track, on-site parking, and a gazebo. The park also contained three (3) separate wooden structures, a 770 square foot (SF), two (2) story wood frame concession stand, a 2,048 SF single story rental hall, and a 2,048 SF, two (2) story wood frame concession stand. The western edge of the park is bordered by a small drainage ditch spanning from the northern park boundary to the southern boundary. The northern edge of the park is bordered by the 40 Arpent Canal. The south and east boundaries of the park are defined by residential streets and homes.

The proposed action includes removal of damaged facilities and utilities; clearing and grading of the park's surface and placement earthen and aggregate fill material all to construct a recreational complex for St. Bernard Parish. The project shall include one (1) youth baseball/softball quadraplex, one (1) mixed youth/adult baseball/softball quadraplex, a multi-purpose building, picnic areas, parking lots, circulation roads, a walking path, playground lots, a restroom/concession building, a shuttle road, a scout house, fencing, and utility infrastructure.

3.3 Alternative Eliminated From Further Consideration

One alternative considered was the reconstruction in place of the existing Val Reiss Park to its pre-disaster location, function, and capacity.

The alternative of restoring the park to its pre-disaster condition is not considered a viable alternative to be carried forward. The previous condition of the park would not adequately support the changed demographics of post-Katrina, St. Bernard Parish.

Additionally, no available location exists that would be adequate to meet the recreational needs of the parish. As a result of Hurricane Katrina, the tax-base of the Parish was significantly reduced. Currently, the Parish lacks the staff and funds required to maintain all of the parks and facilities that existed prior to the disaster.

Because restoration to pre-disaster conditions would be ill-suited to meet the needs of the Parish with its changed demographics and footprint, rebuilding the park to pre-disaster capacity is not considered practicable and will not be studied in detail in this EA.

4.0 AFFECTED ENVIRONMENT AND IMPACTS

4.1 Geology and Soils

The geology of the proposed location predominantly consists of Holocene Coastal Marsh and Holocene Alluvium. Holocene Coastal Marsh consists of gray-to-black clays in places with thin peat beds, or bodies of brackish/salt-water. Holocene Alluvium also consists of clays and is usually found in plains, some higher terraces, prior streams, back-plains or swamps (<http://www.lgs.lsu.edu>).

The topography of the area is generally flat. According to the United States Department of Agriculture (USDA), National Resources Conservation Service (NRCS) Web Soil Survey, the soil of the proposed site is Harahan clay which consists of poorly drained, very slowly permeable soils that formed in non-fluid over fluid clayey alluvium sediments. These soils are found on linear back-swamps. They are considered a prime and unique soil.

The Farmland Protection Policy Act (FPPA) (7 U.S. Code 4201, et seq.) was enacted to minimize the unnecessary conversion of farmland to non-agricultural uses as a result of federal actions. The Act requires federal agencies to evaluate the adverse effects of their activities on prime and unique farmland. The Act requires federal agencies to consult with NRCS regarding impacts to prime and unique farmland, and farmland of statewide importance.

Alternative 1 - No Action: The No Action alternative would have no impacts on geology or soils and no impacts on prime, unique, statewide, or locally important farmland.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): The enhancement of Val Reiss Park would affect soils, primarily as part of site preparation and building construction. Soils will be exposed during grading and trenching for utilities. Additionally, installation of the proposed structures would result in the compaction of all underlying soil.

FEMA initiated consultation with the NRCS on February 14, 2008, regarding potential impacts to prime and unique farmland as defined in 7 CFR 658.2(a). According to their reply on February 26, 2008, the site contains prime and unique farmland. The next step in the evaluation was to determine the Farmland Conversion Impact Rating for the site.

That rating was 99 (see Appendix B for NRCS' Farmland Conversion Impact Rating). According to 7 CFR § 658.4, sites receiving a total score of less than 160 need not be given further consideration for protection.

After consultation and full consideration of potential impacts, it was determined that implementation of the proposed project would result in impacts that, while long-term in nature, would be minimal and localized.

4.2 Water Resources and Water Quality

4.2.1 Surface Water and Groundwater

A visit to the proposed site on January 4, 2008 identified one defined drainage ditch, one large canal, and one swale within or near project boundaries. The western boundary is defined by a drainage ditch connecting the 40 Arpent Canal to the southern most end of the project site. The northern boundary is bordered by the 40 Arpent Canal. The 40 Arpent Canal begins near Val Reiss Park and runs southeast, parallel to Highway 39 for 5.5 miles, with no larger body of water connected. The swale extends from the northern to southern midsection of the park, eventually turning west and extending to Magistrate St. Storm water runoff appears to follow surface topography, generally resulting in a north-westerly flow. Thus, storm water runoff is estimated to flow into the drainage ditch, 40 Arpent Canal, and interior swale.

Alternative 1 - No Action: The No Action alternative would have no impacts on surface and groundwater resources.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): Enhancement of Val Reiss Park is likely to result in an increase in soil erosion, and subsequent increase of sediment turbidity in the receiving ditch due to storm water runoff. In addition, long-term impacts could result from the conversion of a portion of the site from natural surface to impermeable surface, lowering the opportunity for groundwater recharge. A storm water pollution prevention plan should be prepared and BMP's for storm water management should be implemented to minimize any detrimental effects to water quality during construction. Assuming that these mitigation measures are adhered to, impacts to local water quality are expected to be minor, localized and short-term in duration.

4.2.2 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 CWA. Wetlands are identified as those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that 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). In addition, Executive Order 11990 of 44CFR Part 9, 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.

According to the National Wetlands Inventory Map provided by the United States Fish & Wildlife Service (USFWS), there appears to be an area of wetlands within the western half of the proposed project site. Review of aerial photographs of the proposed site, along with site visit on November 7, 2007 confirmed the presence of approximately 0.10 acres of bottomland hardwood wetland. At that time, FEMA determined that the western leg of the interior swale appeared to be inundated by surface water with frequency sufficient to support vegetation and aquatic life typically adapted to life in saturated soil conditions. In an email dated December 14, 2007, USACE stated that the proposed project site has no wetlands subject to USACE jurisdiction, and that no federal permit would be required for the placement of dredged or fill material on the project site (*see Appendix B*).

Alternative 1 - No Action: The No Action alternative would have no effect on wetlands or other waters of the U.S. and would not require permits under Section 404 of the CWA or Section 10 of the RHA.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): Construction at the proposed project site would result in adverse effects to the natural value of the approximately 0.10 acres of wetland. In accordance with Executive Order 11990, mitigation of potential adverse impacts to wetland functions and values were addressed by the applicant, by contracting with High Point Mitigation Company, LLC (*see Appendix B*), for the restoration of 0.10 acres of cypress swamp wetlands, on land previously used for agriculture. FEMA recognizes that this purchase of wetland mitigation credits generated through restoration of 0.10 acres of wetlands satisfies the requirements of Executive Order 11990. A Department of the Army permit under Section 404 of the CWA will not be required for the deposition or redistribution of dredged or fill material on this site.

4.2.3 Floodplain

In compliance with FEMA policy implementing Executive Order 11988, Floodplain Management, the project was reviewed for possible impacts associated with occupancy or modification to a floodplain. St. Bernard parish enrolled in the National Flood Insurance Program on 03/13/1970.

Alternative 1 - No Action: The No Action alternative would not result in impacts to the 100-year floodplain.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): The project is to improve Val Reiss Park into the central recreational complex of St. Bernard Parish. Per Flood Insurance Rate Map (FIRM) number 2252040290 B, dated 05/01/1985, Val Reiss Park is located in zone “A2”, area of 100-yr flooding, base flood elevations and flood hazard factors as determined. Per St Bernard Parish Advisory Base Flood Elevation

(ABFE) Map LA-CC 35, dated 06/05/06, project is located in an "ABFE El. 1 ft. or 3 ft above Highest Existing Adjacent Grade (HEAG)". All construction should be coordinated with the local floodplain administrator and comply with floodplain ordinance. All permits and certificates, and all coordination pertaining to these permit(s), should be documented and provided to the local floodplain administrator, to Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP) and to FEMA as part of the permanent project file. To comply with Executive Order 11988, Floodplain Management, FEMA is required to follow the procedure outlined in 44 CFR Part 9 to assure that alternatives to the proposed action have been considered. This process, also known as the "Eight Step Planning Process," has been completed. Per 44 CFR 9.11(d) (9), the replacement of building contents, materials and equipment, where possible, disaster proofing of the building and/or elimination of such future losses by relocation of those building contents, materials and equipment to or above the Advisory Base Floodplain Elevation (ABFE). Per 44 CFR 9.12, a cumulative final public notice was published 10/26/2007 and is attached.

4.3 Coastal Resources

Louisiana Department of Natural Resources (LDNR) regulates development in the designated coastal zone under the Coastal Zone Management Act (CZMA) of 1978. The Act established a system of Coastal Use Permits (CUP) to regulate uses and activities in the coastal zone. These permits are required for those projects which have a direct impact on coastal waters.

The United States Fish and Wildlife Service (USFWS) regulates federal funding in Coastal Barrier Resource System Units (CBRS) under the Coastal Barriers Resource Act (CBRA). The Act protects undeveloped coastal barriers and related areas (Otherwise Protected Areas) by prohibiting direct or indirect federal funding of projects in these areas that might support development. The purpose is to promote more appropriate use and conservation of coastal barriers along the Gulf of Mexico.

Alternative 1- No Action: The No Action alternative would have no effect on the coastal zone or the Coastal Barrier Resource System.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): The park is located in the designated Louisiana Coastal Management Zone. Louisiana Department of Natural Resources (LDNR) has determined that receipt of federal assistance is consistent with the Louisiana Coastal Resource Program. Projects within the coastal zone may still require a Coastal Use Permit or other authorization from LDNR. The applicant will be required to contact LDNR for consistency determinations prior to initiating work.

The park is not part of a CBRS and thus CBRA does not apply.

4.4 Biological Resources

4.4.1 Flora and Fauna

An inspection of the proposed site was conducted on January 4, 2008. There was abundant vegetation on the project site, including approximately sixty (60) Baldcypress (*Taxodium distichum*), several Tupelo Gum (*Nyssa aquatica*), and two (2) Live Oak trees (*Quercus virginiana*). Typical fauna in this area include small mammals such as nutria (*Myocastor*), rabbits (*Lepus*), and small rodents (*Ctenodactylus*).

Alternative 1- No Action: The No Action alternative would have no effect on flora or fauna.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): The enhancement of Val Reiss Park would result in clearing of woody vegetation and disturbance of any wildlife species in the immediate area. Through consultation dated August 12, 2008, the Fish and Wildlife Service has determined that the proposed project will not significantly impact fish and wildlife resources (see *Appendix B*). Impacts to wildlife and vegetative resources is expected to minor and localized.

4.4.2 Threatened and Endangered Species

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

According to a summary list of federal threatened and endangered species from the USFWS, 11 threatened and endangered species occur in St. Bernard Parish. These species include the Green Sea Turtle (*Chelonia mydas*), Hawksbill Sea Turtle (*Eretmochelys imbricata*), Kemp’s Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), Gulf Sturgeon (*Acipenser oxyrinchus desotoi*), Pallid Sturgeon (*Scaphirhynchus albus*), West Indian Manatee (*Trichechus manatus*), Brown Pelican (*Pelecanus occidentalis*), Piping Plover (*Charadrius melodus*), and the Bald Eagle (*Haliaeetus leucocephalus*).

Alternative 1- No Action: The No Action alternative would have no effect on federal threatened or endangered species.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): A site inspection conducted on November 7, 2007, did not indicate the presence of federal threatened and endangered species listed for St. Bernard Parish. Through consultation with USFWS dated August 12, 2008, the service stated that the proposed project will not significantly impact fish and wildlife resources (see *Appendix B*).

4.5 Cultural Resources

4.5.1 Section 106 of the National Historic Preservation Act (NHPA)

Alternative 1 - No Action: The No Action alternative would not affect cultural resources at Val Reiss Park.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): The Scope of Work indicates ground-disturbing activity associated with the re-grading and addition of topsoil/fill to Val Reiss Park, 1101 Magistrate St., Chalmette, LA. The Area of Potential Effect (APE) is approximately 33 acres, and is located in reclaimed swamp land. Upon consultation of data provided by the Louisiana State Historic Preservation Office (SHPO) office, there are no known archaeological or historic sites located within a 0.5 mile radius from the project area. The project location is in the Orleans Parish Low Probability zone for occurrence of historic or prehistoric cultural resources and has not been previously surveyed for cultural resources.

FEMA archaeologists conducted a site visit to the area on September 28, 2007. Surface inspection of exposed/eroded areas revealed no evidence of cultural resources. The park is located in a low-lying, boggy area which has been filled with dredge material from the adjacent Forty Arpent Canal. Soil maps indicate that the APE is a former saline marsh/backswamp area that has been drained and filled in the modern era. Based on the field inspection, the low probability area, and the absence of historical data indicating previous structures in the vicinity, it is the recommendation of FEMA archaeologists that no historic properties or archaeological resources are impacted by the proposed undertaking. SHPO has concurred with this recommendation in a letter dated August 7, 2008.

The following procedure applies to unanticipated archaeological discoveries: 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.

4.6 Air Quality

The Clean Air Act (CAA) of 1963, as amended, provides for federal protection of air quality by regulating air pollutant sources and setting emissions standards for certain air pollutants. Under CAA, states adopt ambient air quality standards in order to protect the public from potentially harmful amounts of pollutants. The United States Environmental Protection Agency (EPA) has designated specific areas as National Ambient Air Quality Standards (NAAQS) attainment or non-attainment areas. Non-attainment areas are any

areas that do not meet the quality standard for a pollutant, while attainment areas do meet ambient air quality standards. According to EPA, St. Bernard Parish is an attainment area (EPA 2008).

Alternative 1- No Action: The No Action alternative would have no effect on air quality.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): Particulate emissions from the generation of fugitive dust during project construction would be increased temporarily in the immediate project area as a result of this alternative. Other emission sources on site would be internal combustion engines and heavy construction equipment. These effects would be localized and of short duration.

To reduce potential short term effects to air quality from construction related activities, the contractor should be responsible for using BMP to reduce fugitive dust generation and diesel emissions.

Long-term emissions, such as those generated by small engines used for lawn maintenance and offsite generation of electrical power are expected to be comparable to emissions generated by the previously existing park. These impacts are expected to be minor and localized.

4.7 Noise

Noise is generally described as unwanted sound. St. Bernard Parish has no noise ordinance pertaining to construction.

Alternative 1 - No Action: The No Action alternative would have no effect on noise in the associated areas.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): Enhancement of Val Reiss Park would result in a slight increase in noise as a result of construction equipment and vehicular activity. There are no noise sensitive receptors (i.e. hospitals, schools, churches) in or adjacent to the project area. Although the proposed action would result in increased noise during construction, the noise is expected to be minor, localized, and short term.

4.8 Traffic

The proposed site can be accessed from the west by coming through the local road, Magistrate St. The site can also be accessed from the south by coming through the local road, Palmisano Blvd. The speed limit is a maximum of twenty (20) miles per hour on both of these roadways.

Alternative 1- No Action: The No Action alternative would have no effect on traffic.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): Construction at the proposed project site would have a temporary effect on traffic by increasing the number of heavy machinery vehicles on Palmisano Blvd. and Magistrate St. Construction traffic should be closely monitored and controlled as appropriate. All construction activities should be conducted in a safe manner in accordance with Occupational Safety and Health Act (OSHA) requirements.

Project implementation will result in a slight permanent increase of traffic on surrounding roadways. The increase in traffic is not expected to overwhelm the road systems.

4.9 Safety

Safety and security issues that were considered include the health and safety of area residents, the public at-large, the population that would be served by the new park, and the protection of personnel involved in activities related to implementation of the proposed project.

Alternative 1 - No Action: The No Action alternative would have no effect on the general safety of the residents of St. Bernard Parish.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): Enhancement of Val Reiss Park is not likely to result in adverse effects to the safety of residents of St. Bernard Parish.

The safety of workers involved with project implementation will be dependent on the policies of the contractor firms and the experience of the workers and supervisors. Contractors should ensure compliance with all state and federal occupational safety regulations.

4.10 Hazardous Materials

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; the Emergency Response and Community Right-to-Know Act; the Hazardous Materials Transportation Act; and the Louisiana Voluntary Investigation and Remedial Action 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.

This section describes the potential for prior releases of hazardous materials to the environment on the proposed site or close enough to the proposed site to have affected its surface soils or subsurface media (soils and groundwater). This EA also evaluates the

potential for the proposed project to use hazardous materials, generate hazardous wastes, and release hazardous substances.

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 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 the proposed property; however, the nearest well is approximately 1.7 miles away. The site is located within the Court's Designated Class Boundary for the Murphy Oil Spill of August 2005; however, the LDEQ has determined that addresses ranging from 1101 to 1301 Magistrate Street are in Category 1, which indicates that the area was not affected by the oil spill. Sediments/soils were sampled by EPA at Val Reiss Park on 11/10/2006. At that time, no hazardous constituents were identified at levels over RECAP. These values are intended to establish "safe" levels for sediments for residential uses over a 30-year time span.

A search of LDEQ LUST 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. There is one waste water discharger approximately 0.15 miles to the south. A search of the LDEQ Electronic Document Management System (EDMS) database revealed no other sites of obvious concern within 0.25 miles of the site.

Alternative 1- No Action: The No Action alternative would not disturb any hazardous materials or create any potential hazard to human health.

Alternative 2 – Enhancement of Val Reiss Park – (Proposed Action): Findings indicate that no hazardous materials, wastes, or substances (including contaminated soil or groundwater) appear to be present 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 should be initiated in accordance with applicable federal, state, and local regulations.

Project construction will involve the use of hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides/herbicides and 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 should be taken, and any hazardous and non-hazardous wastes generated should be disposed of in accordance with applicable federal, state, and local requirements.

4.11 Environmental Justice

Executive Order 12898, entitled "Federal Action 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.

According to the 2000 U.S. Census, 92.7 percent of the population of the Community of Chalmette is Caucasian, 2.4 percent is African American, and 4.8 percent is Hispanic. The median family income in 1999 was \$36,699, and 9.2 percent of families earn below the poverty level.

Alternative 1- No Action: The No Action alternative would not have an adverse or disproportionate impact on minority or low-income populations.

Alternative 2 – Enhancement of Val Reiss Park (Proposed Action): Enhancement of Val Reiss Park would not have adverse or disproportionate impacts on low-income or minority populations. The proposed project is a public park that will serve residents living in St. Bernard Parish.

5.0 CUMULATIVE IMPACTS

Cumulative impacts are those effects on the environment that result from the incremental effect of the action when added to past, present, and reasonably foreseeable future actions, regardless of what agency (federal or nonfederal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time. There are no other known projects that, when added to the proposed project, would be expected to have a cumulative impact on the human and natural environment.

6.0 CONDITIONS AND MITIGATION MEASURES

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

- A storm water pollution prevention plan should be prepared and BMP's for storm water management should be implemented to minimize any detrimental effects to water quality during project implementation.
- Any fill or borrow material used in the repair activities 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, 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.

- To reduce potential short term effects to air quality from construction related activities, the contractor should be responsible for using Best Management Practices to reduce fugitive dust generation and diesel emissions.
- All construction activities should be conducted in a safe manner in accordance with OSHA requirements.
- 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 should be initiated in accordance with applicable federal, state, and local regulations.
- Appropriate measures to prevent, minimize, and control spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated should be disposed of in accordance with applicable federal, state, and local requirements.
- All construction should be coordinated with the local floodplain administrator and comply with floodplain ordinance. All permits and certificates, and all coordination pertaining to these permit(s), should be documented and provided to the local floodplain administrator, to Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP) and to FEMA as part of the permanent project file. Per 44 CFR 9.11(d) (9), the replacement of building contents, materials and equipment, where possible, disaster proofing of the building and/or elimination of such future losses by relocation of those building contents, materials and equipment to or above the Advisory Base Floodplain Elevation (ABFE).

7.0 PUBLIC INVOLVEMENT

Throughout the development of the proposed undertaking, St. Bernard Parish has kept the public informed of its intentions regarding Val Reiss Park. FEMA has received documentation detailing the Parish's outreach efforts through town forums, various newspaper reports, and internet postings (*See Appendix C*). FEMA is also inviting the public to comment on the proposed action during a fifteen (15) day comment period. A public notice has been published in the local newspaper, *St. Bernard Voice*, announcing the availability of this EA for review at the St. Bernard Parish Government Complex Office of Homeland Security and Emergency Preparedness. A copy of the Public Notice is attached in Appendix C.

8.0 AGENCY COORDINATION

As part of the development of early interagency coordination related to the proposed action, state and federal resource protection agencies were contacted. These agencies include State Historic Preservation Officer, United States Fish and Wildlife Service, Natural Resources Conservation Service, the Governor's Office of Homeland Security and Emergency Preparedness, Louisiana Department of Environmental Quality, United States Environmental Protection Agency, Louisiana Department of Natural Resources, United States 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.

9.0 CONCLUSION

Based upon the studies and consultations undertaken in the preparation of this EA, and given the precautionary and mitigating measures, there do not appear to be any significant environmental impacts associated with the enhancement of Val Reiss Park at the proposed location.

10.0 LIST OF PREPARERS

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Michael Wilder – Historic Preservation Specialist/Archaeologist, FEMA LATRO

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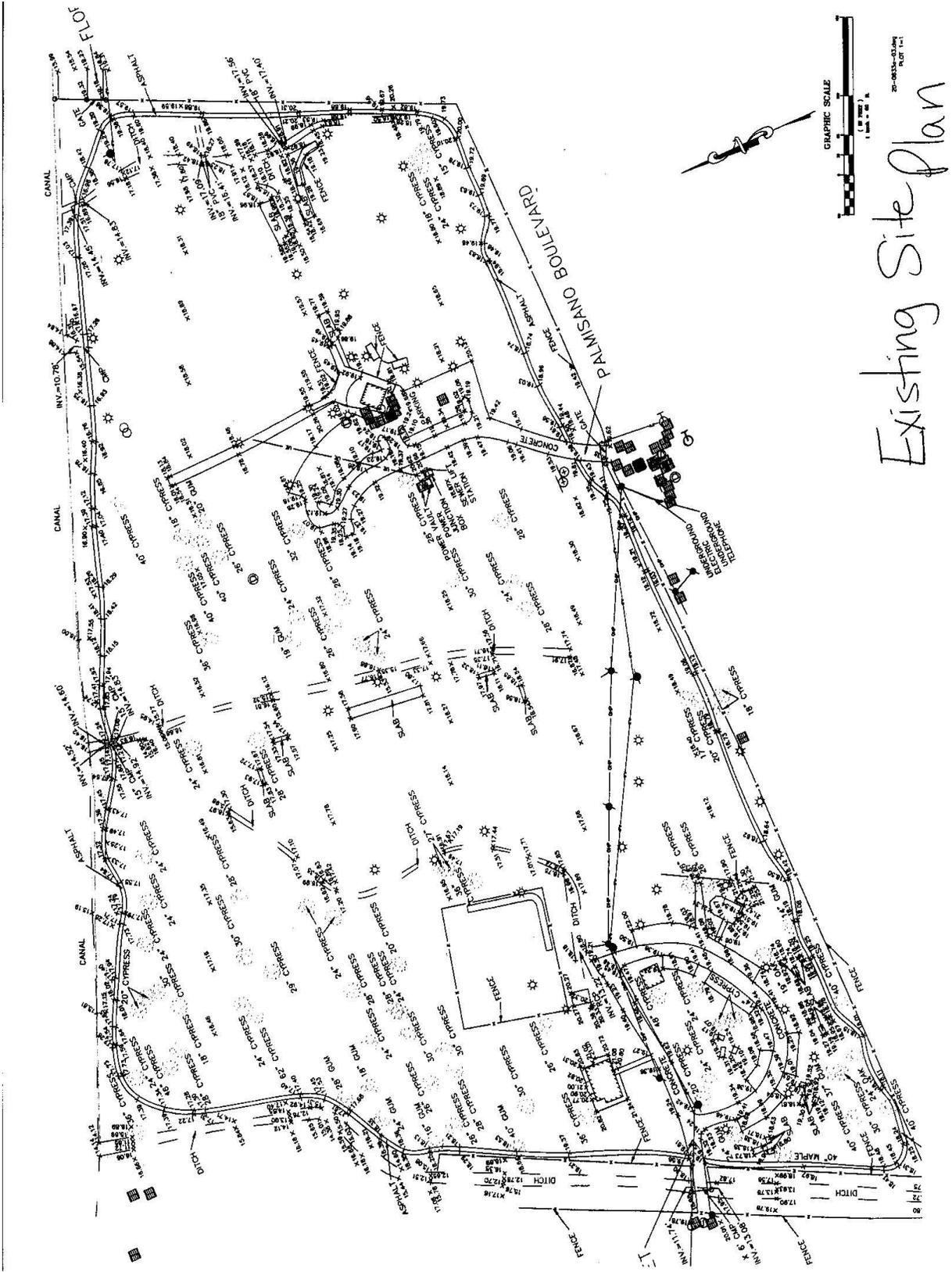
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GRAPHIC SCALE
 1" = 100' 0"

Existing Site Plan

Figure 1: Original Site Layout

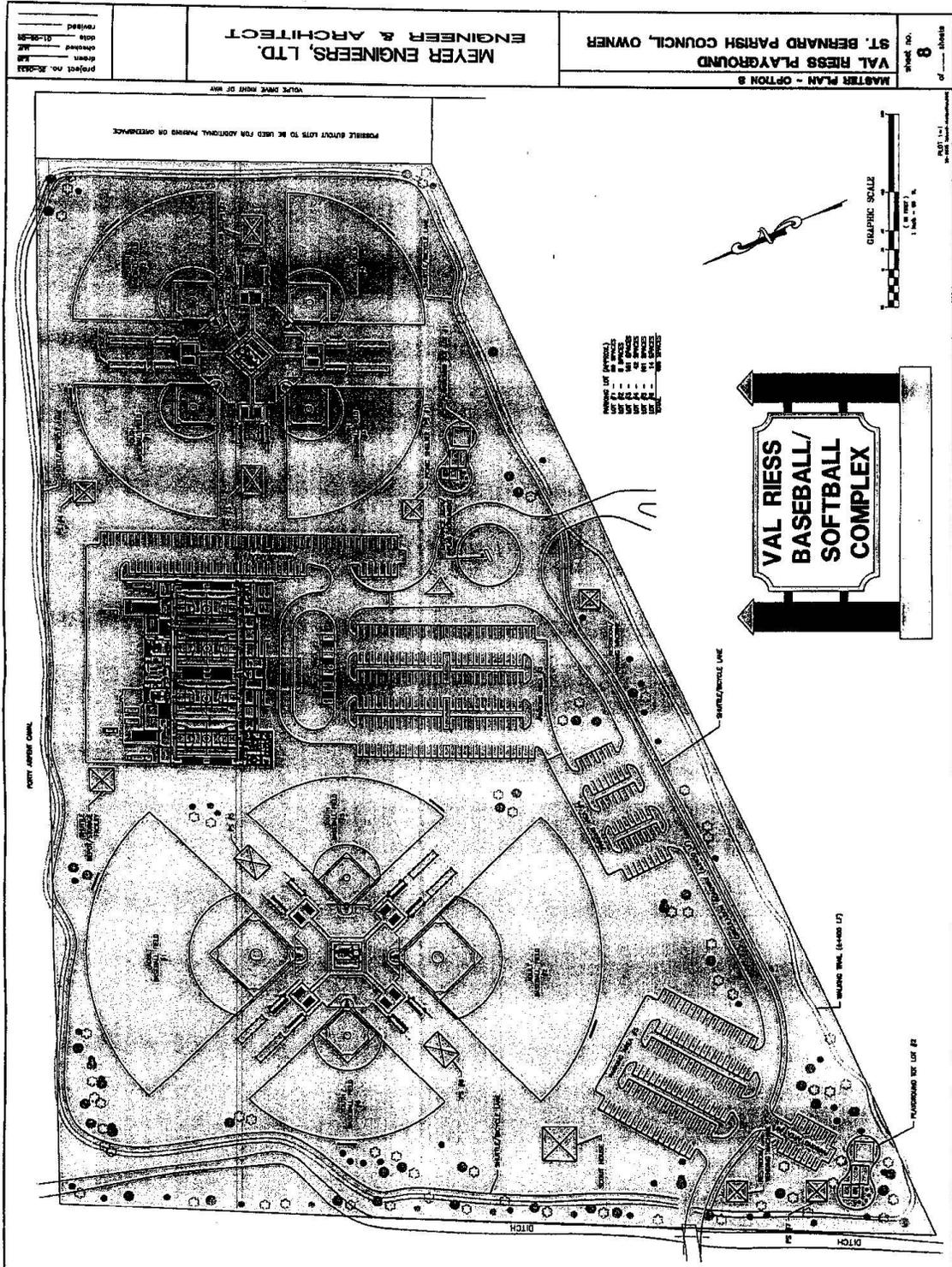


Figure 2: Proposed Enhancement Plan