

ENVIRONMENTAL ASSESSMENT GUIDELINES

FEMA REGION V GUIDELINES



Prepared for
FEMA Region V
536 South Clark Street
Sixth Floor
Chicago, IL 60605

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ENVIRONMENTAL ASSESSMENT DESCRIPTION AND FORMAT

How the decision to prepare an EA is reached:

NEPA regulations require that any federal action must undergo environmental review. If the proposed action does not fall under any of the Categorical Exclusions listed in 44 Code of Federal Regulations (CFR), has the potential to have a significant impact on the surrounding environment or may have associated extraordinary circumstances, an Environmental Assessment (EA) must be conducted. The purpose of an EA is to provide evidence as to what should be done to mitigate against impacts on the environment as well as to comply with NEPA: “An EA may be prepared on any action at any time to foster agency planning objectives, or to provide sufficient evidence for determining whether an EIS is required” (§1501.3[b]). If there is potential for a project to significantly affect the surrounding environment, an EA may be needed.

The information contained in an EA is used to determine the next step in the approval process. An EA is defined as, “A concise public document for which a federal agency is responsible that serves to: (1) briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact...” (§1508.9). If the project does have an impact on the environment that cannot be mitigated, an EIS must be prepared. If the EA demonstrates that the project will not have a significant impact, a Finding of No Significant Impact (FONSI) is signed by the Regional Environmental Officer (REO). Once it has been signed, the agency can proceed with environmental approval.

Major Components of an EA document

- Title page
- List of Acronyms
- Purpose and need
- Alternatives considered
- Environmental setting
- Potential impacts of the alternatives
- Permits
- Summary
- Agencies consulted and references
- List of preparers
- Appendices

Outline of an EA title page

- Project title (FINAL ENVIRONMENTAL ASSESSMENT FOR (project name, location, name of sub-grantee))
- FEMA Region V DR # and Project ID #
- Prepared for FEMA Region V
- Address (Federal Emergency Management Agency, 536 S. Clark Street, 6th Floor, Chicago, IL, 60605)
- Address of contractor
- Date (month date, year)

Table of Contents

- List the title and page number of all sections in the document. After completion of the document, a final check must be made to assure that the actual sections and page numbers of the document reflects the sections and page numbers stated in the Table of Contents

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SECTION 1: INTRODUCTION

1.1 PROJECT AUTHORITY

- Include Public Law number and fiscal year funding that was provided, as well as the amount of funding provided for the state
- Include disaster number and FEMA program
- Include brief history of disaster event, monetary damage amount, and what the proposed action would mitigate, i.e., a detention pond may mitigate flooding
- Give summary of FEMA's responsibility under the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ); state FEMA's Code of Federal Regulations Implementing NEPA, i.e., 44 CFR Part 10

SAMPLE LANGUAGE:

In accordance with the National Environmental Policy Act of 1969, the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 Code of Federal Regulations [CFR] Parts 1500 through 1508), and FEMA regulations for NEPA compliance (44 CFR Part 10), FEMA must fully understand and consider the environmental consequences of actions proposed for federal funding. The purpose of this Environmental Assessment (EA) is to meet FEMA's responsibilities under NEPA and to determine whether to prepare a Finding of No Significant Impact (FONSI) or an Environmental Impact Statement (EIS) for the proposed project.

1.2 PROJECT LOCATION

- Give the project location; state, county, city, its location in relation to a larger city, and any geographic references to help the reader understand the surrounding environment
- Include a Regional map and Locator Map

1.3 PURPOSE AND NEED

- Provide the population of the community and distance from major cities
- Describe if the proposed project is within city limits, extra-territorial jurisdiction, or both
- Provide factual information on the history of disasters in the area as they relate to the project objective
- Describe in a concise sentence the need for the proposed project based on the provided facts
- The purpose should be kept broad enough to allow for multiple alternatives

SAMPLE LANGUAGE:

The objectives of the Federal Emergency Management Agency's (FEMA) [Mitigation, Public Assistance] Program are [to reduce the impact of natural disasters on the built environment, to assist the community in recovering from the damage caused by natural disasters]. The purpose of the action alternatives presented in this Environmental Assessment is to _____ . The need for the project is to _____ .

After describing the action following the basic outline, the following paragraph should be inserted:

The President's Council on Environmental Quality (CEQ) has developed regulations for implementing the National Environmental Policy Act (NEPA). These federal regulations, set forth in Title 40, Code of Federal Regulations (CFR) Parts 1500-1508, require an evaluation of alternatives, and a discussion of the potential environmental impacts of a proposed federal action, as part of the Environmental Assessment (EA) process. The FEMA regulations, which establish FEMA's process for implementing NEPA, are set forth in 44 CFR Subpart 10. This EA was prepared in accordance with FEMA's regulations as required under NEPA. As part of this NEPA review, the requirements of other environmental laws and executive orders are addressed.

1.4 EXISTING FACILITY (if applicable)

- Provide information on current uses and activities of the proposed project or the site on which it is proposed, for example, the construction of a new building on the property of a wastewater treatment plant warrants a discussion of the plant's current operations

SECTION TWO: ALTERNATIVE ANALYSIS

- Lead into this section with a statement that the applicant is required to provide alternatives to the proposed project. Any number of alternatives could be included if they address the purpose and need and prove to be feasible
- Include an alternatives analysis table if it would be useful
- Section 2.1 should not include language about funding

2.1 ALTERNATIVE 1 – NO ACTION ALTERNATIVE

- No action would be taken to [type of project] for [purpose of project]; risks to human health and safety associated with flood events would not be mitigated

2.2 ACTION ALTERNATIVE 2 – [UNIQUE PROJECT NAME] (PROPOSED ACTION)

- Describe in great detail the proposed project (how much space it would take and existing conditions) and what benefit it would have
- Describe the location of the project
- Provide best available design information and figure(s) illustrating project design (given by the applicant). They should be developed enough to determine feasibility and have the ability to meet the purpose and need of the project
- Provide construction equipment types and staging areas
- Provide duration of construction
- Include all relevant dimensions (i.e., if project is for a detention pond, include the dimensions, depth, and construction type—earthen, concrete, etc.)
- If the project involves work in or around a stream, provide information on the H&H study

2.3 ALTERNATIVE 3 – [UNIQUE PROJECT NAME] (ACTION ALTERNATIVE)

- Describe the Action Alternative in the same degree of detail as the Proposed Action
- Describe the location of the project
- Provide best available design information and figure(s) illustrating project design
- Provide construction equipment types and staging areas
- Provide duration of construction
- Do not make any assumptions that one Alternative is better than the other
- Include all relevant dimensions
- If the project involves work in or around a stream, provide information on the H&H study

2.4 ALTERNATIVE 4, 5, 6, ETC.

2.5 ALTERNATIVES CONSIDERED AND ELIMINATED FROM FUTURE CONSIDERATION

- Describe and discuss other alternatives that were considered and why they were eliminated from further consideration
- Try not to use the comparison of funding amounts as a way out; a statement that the dismissed alternative is cost prohibitive is fine but do not give a specific amount

SECTION THREE: AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 PHYSICAL ENVIRONMENT

3.1.1 Geology, Seismicity and Soils

- Provide a brief description of the project location and any geologic features in the area, (i.e., mountains, rivers, faults—mainly anything that would matter in the context of the project)
- Provide project elevation in the National Geodetic Vertical Datum (NGVD) units
- Provide any historic seismic data and seismic risk for the project location, and determine whether Executive Order (EO) 12699, Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction, applies; if it does not, it can be dismissed up front
- Provide detailed soil data (i.e., soil classifications, prime or unique, slope, depth, erodiability, and stability) and cite soil survey, which may be found on the Internet through the NRCS at http://www.ftw.nrcs.usda.gov/ssur_data.html
- Consider the Farmland Policy and Protection Act (7 CFR 658.5)

SAMPLE LANGUAGE:

The Farmland Protection Policy Act (FPPA) (P.L. 97-98, Sec. 1539-1549; 7 U.S.C. 4201, et seq.), which states that federal agencies must “minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses,” was considered in this EA. On _____, the NRCS was contacted to determine if any prime or unique soils exist in the project area. In a response dated _____, the NRCS indicated that...

OR

The Farmland Protection Policy Act (FPPA) (P.L. 97-98, Sec. 1539-1549; 7 U.S.C. 4201, et seq.) was enacted in 1981 (P.L. 98-98) to minimize the unnecessary conversion of farmland to non-agricultural uses as a result of federal actions. Programs administered by federal agencies must be compatible with state and local farmland protection policies and programs. The Natural Resources Conservation Service (NRCS) is responsible for protecting significant agricultural lands from irreversible conversions that result in the loss of an essential food or environmental source.

Prime farmland is characterized as land with the best physical and chemical characteristics for the production of food, feed, forage, fiber and oilseed crops (USDA, 1989). This land is either used for food or fiber crops or is available for those crops, but is not urban, built-up land, or water areas. The NRCS has determined that _____.

Discussion of Alternatives

- Under the No Action Alternative, the geology, seismicity and soils at the site would not be affected because no construction would occur (example of appropriate language)
- Discuss potential short-term and long-term effects to geology, seismicity and soils as they pertain to the implementation of the alternatives
- Discuss excavation depths and where soils will be placed during and after construction. In nearly all cases, disposal of soils in the floodplain is not acceptable

- Determine if a soils investigation has been performed (usually done if there is suspected contamination at the site or if a building is being built), if not, it should be part of the mitigation, if needed (usually needed if building a structure; mitigation would be included in the geotechnical investigation)
- Determine if the Farmland Policy and Protection Act applies by contacting the local NRCS and/or completing the AD 1006 form (found at http://www.nrcs.usda.gov/programs/fpps/pdf_files/ad1006.pdf; will prime or unique farmland or soils be affected; how many acres; what is the determination of the U.S. Department of Agriculture/Natural Resource Conservation Service; if applicable, how can impacts be mitigated; if the project is in a previously disturbed area, it is within the jurisdictional boundaries of an incorporated area and is exempt from the Act
- Typical mitigation measures in this section could include: if project activities include the stockpiling of soil or fill on-site, the project applicant would cover these soils to help prevent fugitive dust and soil erosion; silt fencing and hay bails should be installed to reduce soil loss; following construction activities, exposed, compacted soils would be aerated and revegetated; discuss options with the applicant

3.1.2 Water Resources and Water Quality

- Provide site visit date and findings, (i.e., were surface waters detected in the proposed project area)
- Provide information on the direction of storm water runoff and the body of water that may receive the run-off
- Discuss any aquifers that may be in the vicinity (location, importance to region, special requirements, special districts, or other governmental regulatory authority); determine if there is potential for the project to affect groundwater through withdrawal or discharge
- Provide hydraulic data, if appropriate for the project (has the applicant done a Hydrologic and Hydraulic analysis)
- Provide information on drinking water resources
- Provide current water quality data for the region or watershed (EPA “surf your watershed” webpage has current data: www.epa.gov/surf)

Discussion of Alternatives

- Implementation of the No Action Alternative would not affect surface or ground water resources (example of appropriate language)
- Discuss potential short-term and long-term effects to water resources in the project area as they pertain to the alternatives (this may not be applicable if there are no water resources in the area)
- Provide specific mitigation measures as they pertain to the Proposed Action and Action Alternative
- Typical measures include: to reduce soil erosion at the project site, the project applicant would be required to use temporary installation silt fences and/or straw bales, and the staging of construction equipment in existing developed areas, such as paved parking lots; if project activities include the stockpiling of soil or fill on-site, the project applicant would cover these soils to help prevent fugitive dust and erosion into storm water pathways; following construction, any bare soils would be vegetated to prevent future soil erosion; discuss options with the applicant
- Provide determination by the U.S. Army Corps of Engineers under the Clean Water Act (33 U.S.C. 1251 et seq.), including the date of the letter and any conditions
- Provide any state requirements under the Clean Water Act

- Determine if a National Pollution Discharge Elimination System (NPDES) permit is required (usually overseen by a state agency); it is generally required for construction activities disturbing more than five acres, and may be required for construction activities disturbing between one and five acres (by 2003)
- Provide reference to agency coordination letters and fully discuss any concerns by the state agencies (i.e., erosion and sedimentation control measures)

3.1.3 Floodplain Management (Executive Order 11988)

- Provide current floodplain information; FEMA's regulations for complying with EO 11988 are promulgated in 44 CFR Part 9
- Determine if the community where the proposed project is located participates in the National Flood Insurance Program (NFIP); according to the Flood Insurance Rate Map (FIRM) for the project area (include FIRM panel number), determine if the site is located in the regulated 100-year floodplain (and 500-year for critical facilities); if not, then the effect to the floodplain for activities involving the No Action, Proposed Action, and Action Alternative can be dismissed up front
- Provide a floodplain map

SAMPLE LANGUAGE:

[This paragraph need not be included if the project is clearly out of the floodplain.] Executive Order (EO) 11988 requires federal agencies to take action to minimize occupancy and modification of the floodplain. Specifically, EO 11988 prohibits federal agencies from funding construction in the 100-year floodplain unless there are no practicable alternatives. FEMA's regulations for complying with EO 11988 are promulgated in 44 CFR Part 9. [Conclude this paragraph with a statement.] This project is not within the 100-year floodplain (or 500-year floodplain for critical facility) as indicated in the FIRM (Flood Insurance Rate Map), panel # _____ for _____ (county or city). [Otherwise include a full paragraph followed by the results of the Eight-Step process.] FEMA applies the Eight-Step Decision-Making Process to ensure that it funds projects consistent with EO 11988. The NEPA compliance process involves essentially the same basic decision-making process to meet its objectives as the Eight-Step Decision-Making Process. Therefore, the Eight-Step Decision-Making Process has been applied through implementation of the NEPA process.

Discussion of Alternatives

- Implementation of the No Action Alternative would not have an effect on the regulated floodplain (example of appropriate language)
- Discuss coordination with the Floodplain Administrator, including the date of the letter or telephone consultation
- Discuss potential short-term and long-term negative or positive effects to the regulated floodplain in the project area as they pertain to the alternatives
- Analyze the No Action, Proposed Action, and Action Alternative in the FEMA Eight-Step Planning Process (8-Step Process documentation should be placed in Appendix B)

3.1.4 Air Quality

- Provide background information on the Clean Air Act, as amended

SAMPLE LANGUAGE:

The Clean Air Act requires the U.S. Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment; the Clean Air Act established two types of national air quality standards; primary standards set limits to protect public health, including the health of “sensitive” populations such as asthmatics, children, and the elderly; secondary standards set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation and buildings; current criteria pollutants are: Carbon Monoxide (CO), Nitrogen Dioxide (NO₂), Ozone (O₃), Lead (Pb), Particulate Matter (PM₁₀), and Sulfur Dioxide (SO₂).

- Obtain information from the EPA (can be found on the Internet) as to whether the project site is located in an attainment area (areas in which stations monitoring the pollutants listed above find that their levels are within the limit allowed by the city) and provide status; as Record of Non-Applicability (RONA) may be needed if the project site is in a non-attainment area and will only produce Criteria Pollutants temporarily

Discussion of Alternatives

- The No Action Alternative would not affect air quality because no construction activities would occur under this alternative (example of appropriate language)
- Discuss potential short-term and long-term effects to the air quality in the project area as they pertain to the alternatives
- Typical mitigation language includes: to reduce the temporary impacts to air quality, the applicant would be required to water down construction areas when necessary; emissions from fuel-burning internal combustion engines (e.g. heavy equipment and earth moving machinery) could temporarily increase the levels of some pollutants, including CO, Volatile Organic Compounds (VOCs), NO₂, O₃, and Particulate Matter; these increases would be temporary; to reduce the emission of criteria pollutants, fuel-burning equipment running times would be kept to a minimum; discuss options with the applicant
- State any required permits or state that no permits are required
- If project is in a non-attainment area and involves increasing traffic capacity, then an air quality conformity review is required (usually needed if the project is believed to have the potential to change emissions)

3.1.5 Coastal Zone Management (if applicable)

- Discuss any issues pertaining to the project that fall under the Coastal Zone Management Act (CZMA, 16 U.S.C. § 1451 *et seq.*)
- Discuss coordination with the relevant agency, including the date of letter or telephone consultation
- If necessary, obtain a letter of consistency stating that the project is consistent with the state’s coastal zone management plan

Discussion of Alternatives

- The No Action Alternative would not affect the coastal zone because no construction activities would occur under this alternative (example of appropriate language)
- Discuss potential short-term and long-term effects to the coastal zone in the project area as they pertain to the alternatives
- State any required permits or state that no permits are required

3.1.6 Coastal Barriers Resources (if applicable)

- Discuss any issues pertaining to the project that fall under the Coastal Barriers Resources Act (CBRA, 16 U.S.C. § 3501)
- Discuss coordination with the relevant agency, including the date of letter or telephone consultation

Discussion of Alternatives

- The No Action Alternative would not affect the coastal barrier resources in the project area because no construction activities would occur under this alternative (example of appropriate language)
- Discuss potential short-term and long-term effects to coastal barrier resources in the project area as they pertain to the alternatives
- State any required permits or state that no permits are required

3.2 BIOLOGICAL ENVIRONMENT

3.2.1 Terrestrial and Aquatic Environment

- Provide a concise description of the project location and how it is currently used, i.e., vacant field, within city limits, or if it is in a disturbed area
- Provide an accurate description of plant communities and their major delineations within the project area if the project will be disturbing vegetated areas; give more specifics for a wetland area
- Provide information on initial coordination with the National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), and state agency in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and Migratory Bird Treaty Act (MBTA)
- Provide information on the native wildlife and the potential for that wildlife to be in the vicinity of the project area; for example, if the project area is highly disturbed and developed, the area would be considered to have limited value for plant and wildlife species

Discussion of Alternatives

- The No Action Alternative would not result in an alternation to the existing resources; as such, impacts to terrestrial resources would not occur (example of appropriate language)
- Discuss potential short-term and long-term effects to the terrestrial environment in the project area as they pertain to the alternatives, restate the existing conditions of the site if necessary
- Provide information on resources that may be lost and how the loss of those resources can be mitigated, i.e., to minimize the impacts to trees at the project site, the applicant would employ temporary fences around the tree driplines to prevent the encroachment of personnel and construction equipment; determine if constructions areas would be revegetated with native grasses

3.2.2 Wetlands (Executive Order 11990)

- Provide information on Executive Order (EO) 11990, Protection of Wetlands, which requires federal agencies to take action to minimize the loss of wetlands; the NEPA

compliance process requires federal agencies to consider direct and indirect impacts to wetlands, which may result from federally funded actions

- Provide results of the site visit and information gathered from the National Wetland Inventory (NWI) Maps or state wetland maps, if available (NWI maps available on the Internet at http://wetlands.fws.gov/mapper_tool.htm)
- Provide information on the nearest known wetland if applicable

SAMPLE LANGUAGE:

Executive Order (EO) 11990, Protection of Wetlands, requires federal agencies to take action to minimize the loss of wetlands. The NEPA compliance process requires federal agencies to consider direct and indirect impacts to wetlands, which may result from federally funded actions. [This EO uses the same analysis as EO 11988.]

Discussion of Alternatives

- No construction is proposed for the No Action Alternative, therefore it would not result in any direct or indirect impacts to wetlands (example of appropriate language)
- Restate the observation of wetlands or the lack thereof
- Discuss potential short-term and long-term effects to wetlands in the project area as they pertain to the alternatives
- If the project affects wetlands, then the FEMA Eight-Step Planning Process is required, per 44 CFR Part 9 (Eight-Step Process documentation should be placed in Appendix B)
- Provide mitigation measures for impacted wetlands, include mitigation measures required by the state and/or USACE
- Typical precautionary measures include: erosion control measures, such as temporary installation silt fencing and/or hay bales to reduce the potential for sediment releases and associated pollutants to enter storm water runoff; discuss options with the applicant
- State that compliance with EO 11990 has been met
- Reference coordination with USACE and USFWS, if applicable

3.2.3 Threatened and Endangered Species

- Provide a concise background to the Endangered Species Act (ESA) of 1973, which requires federal agencies to determine the effects of their actions on threatened and endangered species of fish, wildlife, plants and their habitats, and take steps to conserve and protect these species
- Provide information on initial coordination with the USFWS, NMFS and state agency in accordance with the ESA and Fish and Wildlife Coordination Act
- Provide information on federally listed threatened and endangered species, candidate species, and species of concern that may occur or can be found within that geographic area. Information should contain common and scientific names and habitats as necessary
- Restate current condition of project site, i.e., pristine, disturbed, within highly developed areas, etc.

SAMPLE LANGUAGE:

In accordance with Section 7 of the Endangered Species Act (ESA) of 1973, the project area was evaluated for the potential occurrences of federally listed threatened and endangered species. The ESA requires any federal agency that funds, authorizes or carries out an action to ensure that their action is not likely to jeopardize the continued existence of any endangered or threatened species (including plant species) or result in the destruction or adverse modification of designated critical habitats (FEMA 1996).

Discussion of Alternatives

- The No Action Alternative would not disturb natural areas at the proposed site and thus, would not adversely affect threatened and endangered species (example of appropriate language)
- Restate current conditions of project site
- Provide FEMA's determination, as the Federal Action Agency, of potential impacts to special status species. Reference USFWS, NMFS, and state agency coordination, including letters of concurrence
- Discuss potential short-term and long-term effects to threatened and endangered species in the project area as they pertain to the alternatives
- Provide any mitigation measures

3.3 HAZARDOUS MATERIALS

- Provide information on level of reconnaissance survey for hazardous materials and wastes at the proposed project site and in the project vicinity, i.e., subsurface investigations, Phase I or II Environmental Site Assessments (ESAs), hazardous materials database search, or only a visual search on-site; also provide date and findings of that survey (i.e., signs of vegetation staining, paint cans, barrels, an small or large quantity generators of hazardous waste in the vicinity)
- Identify any know Superfund or other documented, contaminated sites in the vicinity (i.e., underground storage tanks)

Discussion of Alternatives

- No impacts resulting from hazardous materials are anticipated under the No Action Alternative (example of appropriate language)
- Discuss potential short-term and long-term effects from hazardous materials in the project area as they pertain to the alternatives
- If a Phase I or Phase II ESA was conducted, include the results
- Typical mitigation language: although subsurface hazardous materials are not anticipated to be present, excavation activities could expose or otherwise affect subsurface hazardous wastes or materials; any hazardous materials discovered, generated, or used during implementation of the proposed project shall be disposed of and handled by the project applicant in accordance with applicable local, state and federal regulations
- If the project includes any renovation or demolition, add requirements for National Emission Standards for Hazardous Air Pollutants (NESHAP) permits (issued at the state level) and any other requirements for lead-based paint and asbestos

3.4 SOCIOECONOMICS

3.4.1 Zoning and Land Use

- Provide a concise description of the project location and current zoning determination; determine if it is located within an incorporated city, and the current and past uses
- Consult the local zoning department to determine if the project is consistent with current zoning
- Include maps showing the project location and surrounding land uses

Discussion of Alternatives

- Under the No Action Alternative, no construction would take place, therefore no impacts to zoning or land use patterns would occur (example of appropriate language)
- Discuss potential short-term and long-term effects to zoning and land use patterns in the project area as they pertain to the alternatives
- Provide information on any local, state or federal zoning laws or permits that may be required for the Proposed Action

3.4.2 Visual Resources

- Provide a concise background on visual resources which refer to: the landscape character (i.e., what is seen), visual sensitivity (i.e., human preferences and values regarding what is seen), scenic integrity (i.e., degree of intactness and wholeness in landscape character) and landscape visibility (i.e., relative distances of seen areas) of a geographically defined viewshed (the visual context of the project area)
- Restate the dimensions of the proposed project
- Provide the general landscape character of the subject area, the degree of visual fragmentation and what makes it fragmented (i.e., roads, large structures, airports, etc.)
- Provide a list of the primary constituents in the viewshed of the proposed project and determine the public perception of its alteration (i.e., if the project is close to an excellent hiking trail, public opinion of the project may not be favorable)

Discussion of Alternatives

- The No Action Alternative would not impact visual resources (example of appropriate language)
- Discuss potential short-term and long-term effects to visual resources in the project area as they pertain to the alternatives

3.4.3 Noise

- Provide a concise background on noise; noise defined herein as undesirable sound, is federally regulated by the Noise Control Act of 1972 (NCA); although the NCA gives the EPA authority to prepare guidelines for acceptable ambient noise levels, it only charges those federal agencies that operate noise-producing facilities or equipment to implement noise standards; the EPA's guidelines, and those of many federal agencies, state that outdoor sound level in excess of 55 dB are "normally unacceptable" for noise-sensitive land uses such as residences, schools and hospitals
- Provide information on sensitive receptors (potentially impacted parties) in the project vicinity

Discussion of Alternatives

- The No Action Alternative would not affect ambient noise levels in the project area (example of appropriate language)
- Discuss potential short-term and long-term effects from noise in the project area as they pertain to the alternatives
- Provide information on the level of noise during the construction phase and operational phase (if the Proposed Action produces noise, i.e., industrial plant, highway, etc.); give a

- description of the types of equipment that may be used based on the project type (i.e., heavy, large track loaders, pile drivers, etc.) to determine level of noise
- Discuss needs for the facility if it is a sensitive receptor (i.e., if the project is a school or a hospital)
- Provide any mitigation measures such as time restrictions on use of equipment

3.4.4 Public Services and Utilities

- Provide information on current public services (i.e., police, fire, rescue, and nearby schools)
- Provide information on all operating utilities in the project vicinity (i.e., water, electric, natural gas, sanitary sewer, and storm water systems)

Discussion of Alternatives

- No impacts to public services and utilities are anticipated under the No Action Alternative (example of appropriate language)
- Discuss potential short-term and long-term effects to public services and utilities in the project area as they pertain to the alternatives
- Provide information on road closures and impacts to emergency services; provide information on utility closures and impacts to users
- Discuss any needed utilities not already available in project location such as electric or sewer lines that may need to be constructed as a result of the project

3.4.5 Traffic and Circulation

- Provide information on streets in the vicinity of the proposed project (i.e., who maintains the streets, quantity of traffic carried, and how many lanes); determine what the impact of construction vehicles could be on the local community
- Provide information on public transportation in the vicinity of the project area

Discussion of Alternatives

- No impacts to traffic or public transportation are anticipated under the No Action Alternative (example of appropriate language)
- Discuss potential short-term and long-term effects to traffic and circulation in the project area as they pertain to the alternatives
- Provide information on road closures and detours
- Provide any mitigation measures (i.e., additional traffic lights or a turn lane needed for a project)

3.4.6 Environmental Justice (Executive Order 12898)

- Provide background information on Executive Order (EO) 12898
- Provide information on the demographics of the community in which the proposed project would take place; compare demographics to the county and state (can be found from the 2000 census online found at <http://www.census.gov/main/www/cen2000.html>)
- State that, in compliance with FEMA's policy implementing EO 12898, Environmental Justice, the socioeconomic conditions and potential effects related to the No Action, Proposed Action and Action Alternative have been reviewed

SAMPLE LANGUAGE:

On February 11, 1994, President Clinton signed Executive Order (EO) 12898, entitled, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”. The EO directs federal agencies, “to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States...”

Discussion of Alternatives

- The No Action Alternative would not have a disproportionately high or adverse impact on the minority or low-income populations of the community (example of appropriate language)
- Discuss whether or not the alternatives would have a disproportionately high or adverse impact on minority or low-income populations
- Compare demographics of the project location to the community at-large
- Provide any beneficial effects

3.4.7 Safety and Security

- Provide background information on safety and security issues; make sure to include the health and safety of the area residents and the public at-large, and protection of personnel involved in activities related to the implementation of the proposed construction; provide any safety and security issues that may currently exist at the site and any foreseeable long-term issues
- Provide information on EO 13045, Protection of Children, which requires federal agencies to make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children (if applicable)
- Provide information on EO 12699, Seismic Safety of Federal or Federally Assisted or Regulated New Building Construction, which requires that federal preparedness and mitigation activities are to include the development and promulgation of specifications, building standards, design criteria, and construction practices achieve appropriate earthquake resistance for new structures, and an examination of alternative provisions and requirements for reducing earthquake hazards through federal and federally financed construction, loans, loan guarantees and licenses (if applicable)

Discussion of Alternatives

- The No Action Alternative would not adversely affect the population of the study area; since the No Action Alternative does not involve the employment of personnel to [action(s) of project], there would be no potential risks to the personal safety of those who would otherwise be performing the activities (example of appropriate language)
- Discuss whether or not the Proposed Action and Action Alternative would present safety risks to those performing the activities
- Provide mitigation measures to mitigate potential impacts to children in accordance with EO 13045; this may include the scheduling of construction activities during the summer months when school is not in session, employing appropriate signage and fencing, and ensuring that construction activities and building designs are in compliance with the County Board of Education and the State Department of Education
- Ensure that local regulations sufficiently address child safety
- Address long-term safety and security

SAMPLE LANGUAGE:

To minimize risks to safety and human health, all construction activities would be performed using qualified personnel trained in the proper use of the appropriate equipment including all appropriate safety precautions; additionally, all activities would be conducted in a safe manner in accordance with the standards specified in Occupational Safety and Health Act (OSHA) regulations.

3.5 CULTURAL RESOURCES

- Provide background information on FEMA’s responsibilities under Section 106 of the National Historic Preservation Act (NHPA), as amended, and implemented by 36 Code of Federal Regulations (CFR) Part 800; requirements include identification of significant historic properties that may be impacted by the Proposed Action; historic properties are defined as archaeological sites, standing structures or other historic resources listed in or eligible for listing in the National Register of Historic Places (NRHP) (36 CFR 60.4)
- Provide information on initial consultation with the State Historic Preservation Office (i.e., date of correspondence and initial determination of impacts)
- Provide information on coordination with any other interested parties

SAMPLE LANGUAGE:

In addition to review under NEPA, consideration of impacts to cultural resources is mandated under Section 106 of the National Historic Preservation Act (NHPA), as amended, and implemented by 36 CFR Part 800. Requirements include identification of significant historic properties that may be impacted by the Proposed Action. Historic properties are defined as archaeological sites, standing structures, or other historic resources listed in or eligible for listing in the National Register of Historic Places (NRHP) (36 CFR 60.4).

As defined in 36 CFR Part 800.16(d), the Area of Potential Effect (APE), “is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist.”

In addition to identifying historic properties that may exist in the proposed project’s APE, FEMA must also determine, in consultation with the appropriate State Historic Preservation Officer (SHPO), what effect, if any, the action will have on historic properties. Moreover, if the project would have an adverse effect on these properties, FEMA must consult with SHPO on ways to avoid, minimize, or mitigate the adverse effect.

Discussion of Alternatives

- The No Action Alternative would not affect cultural resources (example of appropriate language)
- Discuss potential short-term and long-term effects to cultural resources in the project area as they pertain to the alternatives
- Provide information on FEMA’s determination and SHPO’s concurrence
- Discuss Memorandum of Agreements (MOAs) executed, if applicable
- Provide any mitigation measures
- Include the FEMA Region V discovery clause: If ground-disturbing activities occur during implementation, the applicant will monitor excavation activity, and if any artifacts or human remains are found during the excavation process all work is to cease and the applicant will notify FEMA, the Grantee and the SHPO

3.5.1 Historic Architecture

- Provide information on coordination done to determine if the APE includes historic architecture

Discussion of Alternatives

- The No Action Alternative would not affect Historic Architecture (example of appropriate language)
- Provide any mitigation measures

3.5.2 Archaeological Resources

- Give a brief history of the area indicating what potential archaeological significance it has, if any
- Provide information on coordination done to determine if the APE includes significant archaeological resources

Discussion of Alternatives

- The No Action Alternative would not affect Archaeological Resources (example of appropriate language)
- Provide any mitigation measures

3.5.3 Indian Coordination and Religious Sites

- Provide information on initial consultation with any interested Indian Tribes who may want to be a consulting party on the project
- Remember that just because a Tribe does not currently reside in the project area, it is possible that tribes in the state may be interested because of the site's historical significance. Information as to which tribes may be interested can be obtained by the SHPO

SAMPLE LANGUAGE:

Requests for evaluation of the presence or absence of known archaeological and Indian Religious sites within the proposed project areas were submitted to all of the federally recognized tribal groups in [state] on [date], in accordance with the Native American Grave Protection and Repatriation Act.

On November 6, 2000, President Clinton signed Executive Order (EO) 13175, entitled, "Consultation and Coordination with Indian Tribal Governments". The EO directs federal agencies, "to establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, to strengthen the United States government-to-government relationships with Indian tribes, and to reduce the imposition of unfunded mandates upon Indian tribes..."

Discussion of Alternatives

- The No Action Alternative would not affect Indian Religious Sites (example of appropriate language)
- Provide any information on a Programmatic Agreement, if applicable

- Provide any mitigation measures

At the end of Section 3, it is suggested that a table be compiled of each of the sections and the effects of each alternative on that specific aspect.

SECTION FOUR: PUBLIC PARTICIPATION

- Public involvement must be appropriate to the scope of the project
- Any information on public meetings or other public involvement should be submitted to the contractor
- Provide background information on the lead federal agency's role in the public participation process
- Provide information on when and where documents were published
- Provide information on comments received
- Public involvement should be ongoing throughout project development and approval

SECTION FIVE: MITIGATION MEASURES AND PERMITS

- List mitigation measures and permits as they appear in the text of the EA; number sequentially. Measures should be listed only once

SECTION SIX: CONSULTATIONS AND REFERENCES

- Provide a correct reference section for all information cited in the EA and list of persons consulted via telephone; provide names, phone numbers and contact dates
- Consultation letters to the appropriate agencies should be written by either the contractor for REO signature or by the state. They should include who to contact for more information on the environmental issues and should cite FEMA's involvement
- Conditions of approval outlined in coordination letters should also be included in the appropriate sub-sections of Section Three of the EA

SECTION SEVEN: CUMULATIVE IMPACTS

- Analyze potential future impacts to resources due to the proposed project
- Discuss other on-going projects in the vicinity
- Discuss any planned projects in the vicinity

SECTION EIGHT: LIST OF PREPARERS

- Provide company name
- Provide the list of preparers with full name, job title and contributions to the document

Questions and comments can be directed to:

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