

NEPA Alternative Procedures for Large Temporary Housing Projects

PURPOSE

DHS and FEMA are proposing the following alternative procedures in accordance with section 40 CFR 1506.11, Emergencies, to use in the development of large temporary housing projects. We will be using these initially for the response and recovery from Hurricane Katrina, but would like to establish these procedures for other disaster operations, as well.

BACKGROUND

Temporary housing provided by FEMA ranges from using existing housing and apartment stock for disaster victims to the “building” of large group sites. Due to the unprecedented size of the Hurricane Katrina disaster, FEMA will also need to consider the building of whole communities, with all necessary infrastructures, for up to 25,000 people.

There is real urgency to providing temporary housing for disaster victims. While implementation of the project needs to start as soon as possible, there are other activities at the beginning that may take time, such as: community and infrastructure design, permitting, and zoning, among other things. From the environmental review perspective there is often time in the early stages to do some reasonable review of the environmental issues. The environmental review and some public involvement may be performed concurrently with these activities without impacting the time schedule.

ALTERNATIVE PROCEDURES

The Temporary housing process begins with trying to determine the number of people needing housing and particularly the number that cannot be accommodated by existing hotel, housing and apartment stock or the placement of travel trailers or mobile homes on residential properties or on other areas developed or usable for that purpose. For various reasons, the source of last resort is the development of new sites for large groups of travel trailers, mobile homes, or constructed housing that require in-ground utilities and other support systems. Proposals for this level of development could give rise to significant impacts and will need to follow the general alternate process described below.

The following steps provide alternative procedures to use in the environmental planning process for temporary housing when a proposed action has the potential to rise to a level of size, complexity, or significant impact that would require an EIS. The objective of this procedure is to assure projects meet the requirements of the various environmental laws and executive orders, including NEPA, in the most expeditious and cost effective manner possible so as to not delay the response and recovery efforts.

Important issues to explore during this alternative process include: the health and safety of both the potential residents and those in the receiving area; effects related to residual toxic materials or high levels of air pollution; impacts to endangered species or their habitat; and impacts on unique resources like cultural or archaeological sites. For each potential effected resource, where possible, this process is designed to identify the presence of problems or issues or lack thereof, any emergency procedures or protocols available for expedited reviews or treatment of the problem, and the potential impacted or interested parties that should be contacted for input if time allows. The following steps do not need to be done in any given order and should be performed concurrently whenever possible:

1. **Proposal Specific Alternative Arrangements.** FEMA will contact CEQ as soon as practicable and consult to develop proposal specific alternative arrangements according to steps 2 through 5 to satisfy the requirements of 40 CFR 1506.11.
2. **Outreach and Public Involvement.** The proposals and alternative sites that remain for further consideration are brought into the initial process. The outreach process will usually start with representative Federal, Tribal, and State environmental/historical preservation resource and regulatory agencies such as: the U.S. Fish and Wildlife Service, state natural resource and environmental protection agencies, the State Historic Preservation Office and Tribal Historic Preservation Officer where appropriate. Where time and opportunity permit, this outreach effort should extend to other non-government identified interested or affected parties. The extent and means to identify and communicate with all of these parties will vary depending on the time available, the significance of the problems, the level of interest, and the communication modes available. Creative approaches to contacting the public must be used because of limited time and possibly disrupted communication systems. Outreach may be conducted in formal correspondence, public presentations, face to face meetings, telephonic or electronic exchange, or joint site visits, all of which should be documented by memoranda to the file. The emphasis is to contact those in close proximity to the proposed site, being sensitive to the potential of environmental justice issues.
3. **Research.** Existing data will be utilized to the extent possible by conducting site background research, including, but not limited to, database searches, potential for endangered species to occur, potential for the presence of cultural resources, and mapped features such as wetlands and floodplains. In addition FEMA will identify and utilize available pertinent past NEPA analysis (Environmental Assessments and Environmental Impact Statements) made for Federal projects in the vicinity of the proposed housing sites to supplement understanding of the existing environment and potential impacts.
4. **Site Visits.** Field teams will conduct site visits to look for potentially adverse conditions, such as recognized environmental conditions as defined by ASTM Standard 1528, Standard Practice for Environmental Site Assessments, wetlands, floodplains, and potential endangered species habitat. Representatives of Federal, tribal, state, and local agencies will be invited, when available, to accompany FEMA staff on site visits to provide immediate comment on the potential impacts of proposed actions and possible mitigation and treatment measures that may be required.
5. **Mitigation Measures.** Where potentially significant environmental impacts cannot be avoided, FEMA will identify mitigation and treatment measures. After consultation with resource agencies and CEQ, these mitigation and treatment measures will be included to the extent practicable in final site designs.