

Draft Environmental Assessment

# City of Salem Replacement of the Salem Civic Center

FEMA-DR-4160/Project Worksheet 109

Fulton County, Arkansas

March 2015



**FEMA**

**Federal Emergency Management Agency**  
**Department of Homeland Security**  
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## **APPENDICES**

- Appendix A Agency Coordination
- Appendix B Exhibits and Photographs

## **ACRONYMS AND ABBREVIATIONS**

ADA	Americans with Disabilities Act
ADEQ	Arkansas Department of Environmental Quality
AGFC	Arkansas Game and Fish Commission
amsl	Above Mean Sea Level
APE	Area of Potential Effect
BGEPA	Bald and Golden Eagle Protection Act
BMP	Best Management Practices
CAA	Clean Air Act
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CWA	Clean Water Act
dB	Decibels
DNL	Day-Night Average Sound Level
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
EPA	U.S. 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
FWCA	Fish and Wildlife Coordination Act
MBTA	Migratory Bird Treaty Act
MPIS	Multiple Project Information Sheet
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NO <sub>2</sub>	Nitrogen Dioxide
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
O <sub>3</sub>	Ozone
OSHA	Occupational Safety and Health Administration

## **ACRONYMS AND ABBREVIATIONS**

PA	Public Assistance
Pb	Lead
PM <sub>2.5</sub> , PM <sub>10</sub>	Particulate Matter
PNP	Private Non-Profit
RCRA	Resource Conservation and Recovery Act
SCS	Soil Conservation Service
SHPO	State Historic Preservation Office
SO <sub>2</sub>	Sulfur Dioxide
SWPPP	Stormwater Pollution Prevention Plan
USACE	United States Army Corps of Engineer
USCB	United States Census Bureau
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VOC	Volatile Organic Compounds
WRPDD	White River Planning and Development District

## **SECTION ONE INTRODUCTION**

### **1.1 PROJECT BACKGROUND**

In 1973, the original 50-foot x100-foot Salem Civic Center was constructed by the City of Salem on the Fulton County Fairgrounds for use by the Fulton County Fair and other community events. The building is owned by the City of Salem but leased to the Fulton County Fair Association, Inc. Through the years, additional buildings were added and by the late 1980's, the building reached 10,800 square feet. The coordinates for this site are 36.38064, -91.84182. During the late 70's, early 80's, a separate building was constructed for additional restrooms and a new septic system was installed. In 2011, the Fulton County Fair Association entered into a long-term lease agreement with the City of Salem and invested over \$40,000 in the renovation of the building. The Civic Center was the only public building of its size in Fulton County that could accommodate large numbers. The location maps are included in Appendix B.

The east side of the original building had less than 20 feet from the street. The south side had limited parking for approximately ten handicap slots. A large storage shed is adjacent to that handicap parking area. The public swimming pool is approximately sixty feet behind the building (west) and there is a double tennis court between the pool and the building. There is limited parking (south-west) at the end of the pool area. North of the original building, the street curves to the west from in front of the original civic center which prevents additional parking in that area. At the northwest corner of the building, a second storage building lies between the street and tennis courts which prevents parking there. There is approximately 2 ½ to 3 acres available for grass parking adjacent to the proposed new site.

On December 5 and 6, 2013, a severe winter storm adversely affected the communities in the Arkansas counties of Crawford, Franklin, Fulton, Johnson, Logan, Madison, Marion, Newton, Polk, Scott, Searcy, Sebastian, Sharp and Van Buren. Subsequently, a Presidential Disaster Declaration, FEMA-DR-4160-AR, was signed on January 6, 2014. The storm deposited approximately one inch of ice and 10 inches of snow on top of the Salem Civic Center at the Fulton County Fairgrounds in Fulton County, Arkansas. As a result, the building collapsed on December 12, 2013. The building was a complete loss and many of the contents were destroyed. The City of Salem conducted emergency protective measure by demolishing the building and hauling away the debris.

The City of Salem, Arkansas, has submitted an Improved Project application (Project Worksheet 109) for Federal Emergency Management Agency (FEMA) funding under FEMA's Public Assistance Program being administered in response to FEMA-DR-4160-AR. The proposed project would involve replacing the Civic Center Building with a larger building at a new location on fairgrounds that would allow for large groups and compliance with Americans with Disabilities Act (ADA) requirements. As an Improved Project, applicants performing restoration work on a damaged facility may use the opportunity to make additional improvements, while restoring the facility to its pre-disaster function and capacity.

## **INTRODUCTION**

The new facility would be located approximately 600 feet west of the old facility (36.38151, -91.84399). This would allow the building to be built on level ground, be ADA compliant, and accessible from the other facilities located at the fairgrounds. The proposed facility is 14,000 square feet and includes ADA compliant restrooms and an ADA compliant stage and sitting area which would be fully enclosed.

The Environmental Assessment (EA) has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, the President's Council on Environmental Quality regulations to implement NEPA (40 Code of Federal Regulations Parts 1500-1508), and FEMA's regulations implementing NEPA 44 Code of Federal Regulations (CFR) § 10. FEMA is required to consider potential environmental impacts before funding or approving actions and projects. The purpose of the EA is to analyze the potential environmental impacts of the Salem Civic Center Replacement project. FEMA will use the findings in this EA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

## **SECTION TWO                      PURPOSE AND NEED**

### **2.1      PURPOSE**

The mission of FEMA’s Public Assistance (PA) Grant Program is to provide assistance to state, Tribal and local governments, and certain types of Private Non-Profit (PNP) organizations so that communities can quickly respond to and recover from major disasters or emergencies declared by the President (FEMA, 2012).

Through the PA Grant Program, FEMA provides supplemental federal disaster grant assistance for debris removal, emergency protective measures, and the repair, replacement, or restoration of disaster-damaged, publicly owned facilities and the facilities of certain PNP organizations. The PA Grant Program also encourages protection of these damaged facilities from future events by providing assistance for hazard mitigation measures during the recovery process.

### **2.2      NEED**

The original Salem Civic Center building was constructed in 1973 by the city of Salem for use by the Fulton County Fair and other community events. The building was gradually expanded until it reached 10,800 square feet. Initially the City of Salem leased the building to the Fulton County Fair Association for “fair” week and to other agencies for off-season activities throughout the year. In 2011, the Fulton County Fair Association entered into a long-term lease with the City of Salem and invested over \$40,000 in the building. It was completely renovated installing insulation, new wall coverings, plumbing fixtures and heat and air condition. These improvements made the building usable year-round by the Fulton County Fairground board of directors and the community.

The headquarters of North Arkansas Electric Cooperative, Inc. is located in Fulton County, and it has used the building for its annual meetings since the 1970’s. They register between 2,500 and 3,000 members for the annual meeting. There is no other facility in the area that can accommodate this event. The building had been used for many years for the county fair activities and served as a meeting place for many city, county and private business meetings. It was also available for rent/lease for personal venues such as auctions and entertainment.

However, the building was not in compliance with the ADA. There were only two entry doors and the only close parking was a space large enough to accommodate ten automobiles. Two sets of steps were used to access other parking areas on the fair grounds. A ground elevation at one side of the original building created drainage issues during inclement weather. The building was in close proximity to the swimming pool and park activities.

The ADA compliant building is required in order to provide access by all potential users of the facility. The building is being constructed with federal funds and this is a requirement of the law.



In addition, the lack of a large general-purpose building caused a number of serious problems for the community during the summer of 2014. The Fulton County Fair has 3 nights of Beauty Pageants and a Youth Talent Contest. These events had to be moved to a local church and were held the week before the fair officially opened. The fair also had to move Kid's Day to the City Park. If the weather had not cooperated, the event would have had to be cancelled. The North Arkansas Electric had to move their annual meeting to the Salem High School and have a scaled down meeting. Several community events had to be cancelled or moved to another location because the Salem Civic Center was not available.

## **SECTION THREE                      ALTERNATIVES**

### **3.1        EXPLANATION OF ALTERNATIVES**

To address the needs of the Salem Civic Center and the Fulton County residents working and living in the community; the following three alternatives were considered: No Action Alternative; the Proposed Action Alternative for the construction a new Salem Civic Center, and alternatives considered and dismissed.

### **3.2        NO ACTION ALTERNATIVE**

Under the No Action Alternative, the City of Salem would not construct a civic center in a new location on the fairgrounds. As a result, the City of Salem would not have a civic center that is ADA compliant. The absence of an ADA compliant building creates a hardship on persons with disabilities trying to attend events at the center. The lack of accessible restroom facilities, parking and access via applicable ramps, etc., would make the facility unusable for persons with accessibility issues. In addition, the City of Salem would not have a facility that could support the many area-wide activities, which require a building large enough to accommodate a minimum 3,000 attendees.

### **3.3        PROPOSED ACTION ALTERNATIVE**

Under the Proposed Action Alternative, the City of Salem proposes to use FEMA funding for an Improved Project to construct a new 14,000 square foot civic center on the Fulton County Fairgrounds (36.38151, -91.84399). The new building would be ADA compliant and would be slightly larger to accommodate audience in excess of 3,000 people. The new building would incorporate the amenities required to serve audiences of all sizes and uses. The proposed building site provides for an easily accessible parking lot with adequate handicap spaces. The level lot minimizes drainage problems. The new site is ideally located because it would be in close proximity to the other park activities and facilities.

The new facility would be located approximately 600 feet west of the old facility (36.38151 -91.84399). This would allow the building to be built on level ground and accessible from the other facilities located at the fairgrounds. The proposed facility is 14,000 square feet, 18 feet high and is described as a post frame barn, steel siding on wood studs/wood truss and assemblies. The interior will be finished with drywall or plaster and have appropriate restrooms and storage spaces. It will meet all American Disabilities Act requirements with an ADA compliant stage and sitting area which would be fully enclosed.

Under Americans Disability Act requirements, state and local governments are required to follow specific architectural standards in the new construction or alteration of their buildings. The proposed building is designed to meet all those requirements.

### **3.4 ALTERNATIVE CONSIDERED AND DISMISSED**

The City of Salem considered options to rebuild the former facility on its pre-disaster footprint. However, the City of Salem determined that the original footprint does not eliminate the problems of inadequate parking. Water and drainage problems would also continue to be a problem at this location. In addition, the community needs for a larger facility that meets American Disabilities Act requirements would not be met.

The City of Salem also considered options to reduce the size of the civic center. However, the City determined that the community required a larger facility to accommodate the addition of ADA requirements and a minimum of 3000 people. Both the original building and the proposed plans have garage-type doors to allow outdoor seating for over-flow crowds. In order to hold maintenance and utility costs to a minimum, the new building was not designed larger than 14,000 square feet because the over-flow crowds only attend occasionally during the year. Therefore, these alternatives were dismissed from further consideration and will not be discussed any further in this EA.

# **AFFECTED ENVIRONMENT AND IMPACTS**

## **SECTION FOUR**

## **AFFECTED ENVIRONMENT AND IMPACTS**

This section describes the potential impacts of the proposed action on environmental resources and historic properties, and describes proposed mitigation that will address those impacts. A summary of identified impacts is provided in Table 1.

### **4.1 PHYSICAL RESOURCES**

#### **4.1.1 Geology and Soils**

Fulton County is in the north-central part of Arkansas. Salem is the county seat of Fulton County. The county is generally rectangular in shape and extends about 18 miles from north to south and 38 miles from east to west. The county is bordered on the north by the State of Missouri, on the west by Baxter County, on the south by IZARD County, and on the east by Sharp County. The project site is located within the city limits of Salem which is located in the central part of Fulton County.

According to the U.S. Geological Survey (USGS) 7.5-minute topographic map of the Salem quadrangle, the project site is approximately 750 feet above mean sea level (amsl) (USGS, 1984). The project site for the civic center is located in relatively flat terrain.

The U.S. Department of Agriculture (USDA) National Resources Conservation Service (NRCS) online Web Soil Survey indicates the project location is made up primarily of Agnos soils (USDA, 2013). According to the USDA Soil Conservation Service (SCS), slopes in this area range from three to eight percent. The Agnos series consists of deep, well-drained, very slowly permeable soils that formed in clayey residuum of weathered siltstone or dolomite bedrock (USDA, 1984).

The Farmland Protection Policy Act (FPPA) was passed in 1981 as part of the Agriculture and Food Act (Subtitle I of Title XV, Section 1539-1549). The FPPA is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. It assures that, to the extent possible, federal programs are administered to be compatible with state, local units of government, and private programs and policies to protect farmland. The area of the project does not meet farmland criteria as explained in a letter dated October 10, 2014, from the NRCS (see Appendix A).

Under the No Action Alternative, there would be no impacts to or from geology or soils.

Under the Proposed Action Alternative, construction activities will not be deep enough to impact underlying geologic resources. However, these construction activities will disturb soil as part of the site development. Although a National Pollutant Discharge Elimination System (NPDES) permit will not be required because the site construction will be less than 1 acre, the construction contractor will consider using the Best Management Practices (BMPs) as needed. Graded soil and waste materials will be managed in accordance with applicable local, state, and federal regulations. No adverse impacts to the civic center construction or any connected features such as parking lots and driveways are anticipated due to soil instability.

## **AFFECTED ENVIRONMENT AND IMPACTS**

### **4.1.2 Air Quality**

Under the Clean Air Act (CAA), states are required to adopt ambient air quality standards. These have been established to protect the public from potentially harmful amounts of pollutants. Under the CAA, the U.S. Environmental Protection Agency (EPA) establishes primary and secondary air quality standards. Primary air quality standards protect the public health, including the health of “sensitive populations, such as people with asthma, children, and older adults.” Secondary air quality standards protect public welfare by promoting ecosystems health, and preventing decreased visibility and damage to crops and buildings. EPA has set national ambient air quality standards (NAAQS) for the following six criteria pollutants: ozone (O<sub>3</sub>), particulate matter (PM<sub>2.5</sub>, PM<sub>10</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and lead (Pb). According to the EPA, Fulton County is in attainment for all six criteria pollutants, meaning that criteria air pollutants do not exceed the NAAQS (EPA, 2010).

Under the No Action Alternative, there would be no impacts to air quality.

Under the Proposed Action Alternative, construction activities will cause short-term impacts to the air quality of the area. To reduce the temporary impacts, contractors will be required to water down construction areas as needed in order to mitigate excess dust spreading. The levels of some pollutants, such as CO, NO<sub>2</sub>, O<sub>3</sub>, PM<sub>10</sub> and volatile organic compounds (VOCs) could be elevated in the area temporarily due to emissions from fuel-burning vehicles on site (e.g. heavy equipment and earthmoving machinery). To reduce emissions, vehicle-running times on site will be kept to a minimum and engines will be properly maintained.

## **4.2 WATER RESOURCES**

### **4.2.1 Surface Water**

The Clean Water Act (CWA), as amended in 1977, set standards to limit the amount of pollutants allowed to be discharged into U.S. waterways. The site sits at a surface elevation at approximately 750 feet amsl.

Under the No Action Alternative, there would be no impacts to surface water.

Under the Proposed Action Alternative, there will be no direct permanent impacts on the surface water quality of the area. However, short-term impacts to downstream surface waters, due to erosion of soil, are possible during construction. The Applicant will not be required to submit a Stormwater Pollution Prevention Plan (SWPPP) permit prior to construction because the area to be disturbed is less than one (1) acre. However, graded soil and waste materials will be managed in accordance with applicable local, state, and federal regulations.

## **AFFECTED ENVIRONMENT AND IMPACTS**

### **4.2.2 Wetlands**

Executive Order (EO) 11990, Protection of Wetlands, directs federal agencies to take actions to minimize the destruction, loss, or degradation of wetlands. The U.S. 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 Clean Water Act. Wetlands are identified as those areas that are inundated or saturated by surface or groundwater 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. Under Section 404 of the CWA, a permit is required from the USACE for any activities involving the discharge of dredged or fill material into waters of the U.S., including wetlands and tidally influenced waters. Dependent on the scope and type of impacts to waters of the U.S., authorizations may be in one of three primary forms: general permit, a letter of permission, or a standard individual permit. If an applicant has a project either in or near a water body, the applicant is required to fill out and submit the Multiple Project Information Sheet (MPIS) to the USACE and the Arkansas Department of Environmental Quality (ADEQ) to establish which permit(s), if any, will be required. A letter describing the project was sent to the USACE on October 2, 2014. The USACE indicated in a letter dated October 9, 2014 that no floodplains or wetlands would be affected (see Appendix A).

Under the No Action Alternative, there would be no impacts to wetlands.

Under the Proposed Action Alternative, the USACE has indicated in a letter dated October 9, 2014, there will be no impacts to wetlands because wetlands are not present or adjacent to the site (see Appendix A).

### **4.2.3 Floodplain**

EO 11988 (Floodplain Management) requires federal agencies to avoid direct or indirect support of development within the 100-year floodplain whenever there is a practicable alternative. FEMA uses Flood Insurance Rate Maps (FIRMs) to identify the regulatory 100-year floodplain for the National Flood Insurance Program (NFIP). The proposed project area is located beyond the mapped floodplain.

Under the No Action Alternative, no impacts to the floodplain are anticipated.

Under the Proposed Action Alternative, no impacts to the floodplain are anticipated.

# **AFFECTED ENVIRONMENT AND IMPACTS**

## **4.3 BIOLOGICAL RESOURCES**

### **4.3.1 Threatened and Endangered Species and Critical Habitat**

The Endangered Species Act (ESA) of 1973 provides a program for the conservation of threatened and endangered species and the habitats in which they are found. Section 7 of the ESA requires federal agencies, in consultation with the United States Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS), to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat of such species.

The Curtis Pearlymussel (*Epioblasma florentina curtisi*), Scaleshell (*Leptodea leptodon*), Ozark Hellbender (*Cryptobranchus alleganiensis bishopi*), Rabbitsfoot (*Quadrula cylindrica cylindrica*), Pink Musket (*Lampsilis abrupta*), Sprague's Pipit (*Anthus spragueii*), Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalis*), and Snuffbox (*Epioblasma triquetra*) are federally listed endangered species that are known to occur in Fulton County. In addition the federally protected Bald Eagle (*Haliaeetus leucocephalus*) and proposed endangered Northern long-eared Bat (*Myotis septentrionalis*) are also known to occur in the region, according to a letter from the USFWS, dated October 18, 2014 (see Appendix A). The USFWS indicated that sediment and/or nutrient transport from the project location may have direct, indirect, and/or cumulative effects to mussels, fish hosts, and/or their habitat(s). Adverse effects associated with sedimentation and nutrification from all phases of construction activities may be minimized and/or alleviated through proper implementation and maintenance of erosion control best management practices and maintaining vegetative buffers. Buffer width is dependent upon slope, vegetation type, and soil types.

Under the No Action Alternative, there would be no impacts to threatened or endangered species or critical habitat.

Under the Proposed Action Alternative, FEMA has determined that there will be no effect on any of the federally listed and endangered species based on the Applicant's responsibility for adhering to the applicable conditions listed in the USFWS letter dated October 18, 2014, the current adjacent land use, the existing habitat.

### **4.3.2 Wildlife and Fish**

The Fish and Wildlife Coordination Act (FWCA) provides the basic authority for the USFWS's involvement in evaluating impacts to fish and wildlife from proposed water resource development projects. It requires that fish and wildlife resources receive equal consideration to other project features. It also requires federal agencies that construct, license or permit water resource development projects to first consult with the USFWS (and the NMFS in some instances) and state fish and wildlife agency regarding the impacts on fish and wildlife resources and measures to mitigate these impacts.

The Migratory Bird Treaty Act (MBTA) was implemented in 1918 between the U.S. and Great Britain for the protection of migratory birds. Later amendments added treaties with

## **AFFECTED ENVIRONMENT AND IMPACTS**

Japan, Mexico and the Soviet Union (now Russia). Under the Act, taking, killing or possessing migratory birds is unlawful. In conjunction with this, The Bald and Golden Eagle Protection Act (BGEPA) prohibit any form of possession or taking of both bald and golden eagles. The statute imposes criminal and civil sanctions as well as an enhanced penalty provision for subsequent offenses. Further, the BGEPA provides for the forfeiture of anything used to acquire eagles in violation of the statute. The statute excludes from its prohibitions the use of eagles or eagle parts for exhibition, scientific, and Indian religious uses.

The bald eagle (*Haliaeetus leucocephalus*) resides near lakes, reservoirs, rivers, marshes and coasts. The golden eagle (*Aquila chrysaetos*) favors open country, especially around mountains.

Under the No Action Alternative, there would be no impacts to fish or wildlife.

Under the Proposed Action Alternative, the Salem Civic Center will be located within the city limits of Salem. The project area has the potential to provide open upland resting and shelter for many species of birds. However, for many species of birds including migratory birds, there will be no adverse effect because higher quality habitat exists in the nearby areas of farmland, intact forest, and the Ozark Mountains. FEMA has determined that the project will not have an adverse impact on migratory species. The Arkansas Game and Fish Commission (AGFC) has indicated in letter dated October 27, 2014, that they we anticipate insignificant adverse impacts to fish and wildlife resources associated with the proposed project (see Appendix A).

### **4.4 CULTURAL RESOURCES**

Section 106 of the National Historic Preservation Act (NHPA), as amended, and implemented by 36 CFR Part 800, requires Federal agencies to consider the effects of their actions on historic properties. Historic properties are prehistoric or historic districts, sites, buildings, structures, or objects listed in or eligible for listing in the National Register of Historic Places (NRHP), maintained by the Department of the Interior, National Park Service (NPS). The Area of Potential Effect (APE) of a federal undertaking 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 any such properties exist. Act 753 of the Arkansas Burial Law (1991) prohibits the desecration of human remains and makes it illegal to purchase, sell, barter or otherwise profit from human remains.

Under the No Action Alternative, there would be no impact to historic properties.

Under the Proposed Action Alternative, the State Historic Preservation Office (SHPO) has indicated in a letter dated October 7, 2014, that there will be “No Effect” to historic properties (see Appendix A). In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured by the City of Salem and access to the



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sensitive area will be restricted by the City of Salem. The City of Salem will inform FEMA immediately, and FEMA will consult with the SHPO. Work in sensitive areas shall not resume until consultation is completed and until FEMA determines that the appropriate measures have been taken to ensure complete project compliance with the NHPA and its implementing regulations.

### **4.5 SOCIOECONOMIC RESOURCES**

#### **4.5.1 Environmental Justice**

EO 12898 (Federal Actions 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 their programs, policies, and activities on minority and low-income populations. Socioeconomic and demographic data for the project area were analyzed to determine if a disproportionate number of minority or low-income persons have the potential to be adversely affected by the proposed project.

According to the 2010 Census (USCB), the population of Fulton County, Arkansas is 12,245. At that time, 1.7 percent of the population identified themselves as belonging to a minority group, with 0.8 percent identifying themselves as Hispanic or Latino. Also, 22.4 percent of the population is 65 years of age and older. The Median Household Income for Fulton County is \$35,522. This Survey also estimates that 12 percent of all families and 18.5 percent of all people in Fulton County are below the poverty level (USCB, 2010).

Under the No Action Alternative, there will be no disproportionate impact to any low-income or minority populations.

Under the Proposed Action Alternative, the community will have a civic center that facilitates public access by being ADA compliant. There will be no disproportionately high or adverse impact on minority or low-income portions of the populations – all populations will benefit from this project.

#### **4.5.2 Noise**

Noise is generally defined as unwanted sound. Sound is most commonly measured in decibels (dB) on the A-weighted scale, which is the scale most similar to the range of sounds that the human ear can hear. The Day-Night Average Sound Level (DNL) is an average measure of sound. The DNL descriptor is accepted by federal agencies as a standard for estimating sound impacts and establishing guidelines for compatible land uses. EPA guidelines, and those of many other federal agencies, state that outdoor sound levels in excess of 55 dB DNL are “normally unacceptable” for sensitive receptors (e.g., noise-sensitive land uses) such as residences, schools, or hospitals.

Under the No Action Alternative, there would be no impact to noise levels.

Under the Proposed Action Alternative, there is a possibility for short-term impact to noise levels during construction. To reduce noise levels during that period, construction

## **AFFECTED ENVIRONMENT AND IMPACTS**

activities will take place during normal business hours. Equipment and machinery installed at the project site will meet all local, state, and federal noise regulations. In a letter dated October 2, 2014, the WRPDD requested comments from the Arkansas Department of Health. However, the Arkansas Department of Health did not response to this request (see Appendix A).

### **4.5.3 Traffic**

The site is located at Civic Center Road, Salem, Fulton County, Arkansas and is a low traffic area in the City.

Under the No Action Alternative, there would be no impacts to traffic.

Under the Proposed Action Alternative, short-term impacts to traffic may occur, due to the movement of construction vehicles and workers to and from the site. Civic Center Road is an area of low traffic and the county expects a short duration of construction. No closing of the road will be necessary. Construction vehicles and equipment will be stored on-site during project construction and appropriate signage will be posted on affected roadways.

### **4.5.4 Public Service and Utilities**

Existing utilities are present at the project site. Only electricity will be utilized for the civic center building. The electrical service supply will be located overhead in the existing utility easement and will connect to the building.

Under the No Action Alternative, there would be no impact to public services or utilities.

Under the Proposed Action Alternative, the electrical service supply will be located overhead to the building. No adverse impacts are anticipated.

### **4.5.5 Public Health and Safety**

Safety and security issues considered in this EA include the health and safety of area residents, the public-at-large, and the protection of personnel involved in the construction of the project.

The Resource Conservation and Recovery Act (42 U.S.C. §6901 et seq. 1976) (RCRA) gives the EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes.

Under the No Action Alternative, there will be no effect to the public health and safety

Under the Proposed Action Alternative, a new 14,000 square foot Civic Center will be constructed. Potential short-term safety risks to construction workers and the general

## **AFFECTED ENVIRONMENT AND IMPACTS**

public will be present during construction activities. To minimize risks to safety and human health, all construction activities will be performed using qualified personnel trained in the proper use of the appropriate equipment, including all appropriate safety precautions. Additionally, all activities will be conducted in a safe manner in accordance with the standards specified in the Occupational Safety and Health Administration (OSHA) regulations. The appropriate signage and barriers must be in place prior to construction activities to alert pedestrians and motorists of project activities. In accordance with RCRA, unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items such as petroleum products, hazardous materials, or toxic wastes (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of such materials in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies. There will be no disproportionate health and safety risks to children in construction of the project.

### **4.6 CUMULATIVE IMPACTS**

According to Council on Environmental Quality (CEQ) regulations, cumulative impacts represent the “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).” In accordance with NEPA and to the extent reasonable and practical, this EA considered the combined effect of the Proposed Action Alternative and other actions occurring or proposed in the vicinity of the project site.

The Salem Civic Center will be located on the Fulton County Fairgrounds. No actions by others were identified as occurring or proposed in the vicinity of the proposed project site; therefore, no negative cumulative impacts are anticipated.

**Table 1: Impacts and Mitigation Summary**

<b>Environment Affected</b>	<b>Impacts</b>	<b>Mitigation</b>
<b>Geology and Soils</b>	No impacts to geology. Potential short-term impacts to soils during construction.	BMP's such as installation of silt fencing and prompt revegetation of soils following completion of construction will be implemented in accordance with the SWPPP permit that will be required under the CWA. Graded soil and waste materials will be managed in accordance with applicable local, state, and federal regulations.
<b>Air Quality</b>	Short-term impacts to air quality will occur during construction.	Construction contractors will be required to water down construction areas when necessary; fuel-burning equipment running times will be kept to a minimum; engines will be properly maintained.

## **AFFECTED ENVIRONMENT AND IMPACTS**

<b>Environment Affected</b>	<b>Impacts</b>	<b>Mitigation</b>
<b>Surface Water</b>	Temporary short- term impacts to surface water are possible during construction activities.	Appropriate BMPs, such as installing silt fences and revegetating bare soils will be implemented in accordance with the SWPPP permit.
<b>Wetlands</b>	The USACE indicated in a letter dated October 9, 2014, that a Section 404 Permit will not be required for this project (see Appendix A). No impacts to wetlands are anticipated.	None
<b>Floodplains</b>	No impacts to the floodplain are anticipated.	None
<b>Threatened and Endangered Species and Critical Habitat</b>	FEMA has determined that no federally listed endangered, threatened or candidate species or critical habitat are present in the project location.	None
<b>Wildlife and Fish</b>	No impact to any fish or wildlife is anticipated.	None
<b>Cultural Resources</b>	The SHPO has indicated in a letter dated October 7, 2014, that there will be “No Effect” to historic properties (see Appendix A).	In the event that archeological deposits, including any Native American pottery, stone tools, bones, or human remains, are uncovered, the project shall be halted and the applicant shall stop all work immediately in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. All archeological findings will be secured by Salem and access to the sensitive area will be restricted by the city and county. The applicant will inform FEMA immediately and FEMA will consult with the SHPO. Work in sensitive areas shall not resume until consultation is completed and until FEMA determines that the appropriate measures have been taken to ensure the complete project is in compliance with the NHPA and its implementing regulations.
<b>Environmental Justice</b>	No adverse effects on low-income or minority populations are expected.	None
<b>Noise</b>	Short-term impacts to noise levels will occur at the site during construction.	Construction will take place during normal business hours and equipment will meet all local, state and federal noise regulations.

## **AFFECTED ENVIRONMENT AND IMPACTS**

<b>Environment Affected</b>	<b>Impacts</b>	<b>Mitigation</b>
<b>Traffic</b>	Temporary short- term impacts on traffic in the area of the project site may occur during construction.	Construction vehicles and equipment will be stored on site during project construction and appropriate signage will be posted on affected roadways.
<b>Public Service and Utilities</b>	The electrical service supply will be located overhead in the existing utility easement. No adverse impacts are anticipated.	None
<b>Public Health and Safety</b>	There are potential short-term safety risks to construction workers and the general public during the construction.	All construction activities will be performed using qualified personnel and in accordance with the standards specified in OSHA regulations; appropriate signage and barriers must be in place prior to construction activities to alert pedestrians and motorists of project activities. In accordance with RCRA, unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items such as petroleum products, hazardous materials, or toxic wastes (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of such materials in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

# **PUBLIC INVOLVEMENT**

## **SECTION FIVE**

## **PUBLIC INVOLVEMENT**

FEMA is the lead federal agency for conducting the NEPA compliance process for construction of the Salem Civic Center in the City of Salem, Fulton County, Arkansas. It is the goal of the lead agency to expedite the preparation and review of NEPA documents and to be responsive to the needs of the community and the purpose and need of the proposed action while meeting the intent of NEPA and complying with all NEPA provisions.

Upon approval of the Draft EA, the public will be notified of the city's intent to proceed with the development of the civic center via a solicitation for comment that will be published on the White River Planning and Development District's (WRPDD) website [www.wrpdd.org](http://www.wrpdd.org).

Also, upon approval of the EA, Salem will notify the public of the availability of the draft EA through publication of a public notice in the Salem paper, The News. The draft EA will be made available for public review at the Fulton County Office of Emergency Services located in the Courthouse and also at the Salem City Hall, and on FEMA's website (<https://www.fema.gov/resource-document-library>). FEMA will conduct a 30-day public comment period commencing on the initial date of publication of the public notice.

## **AGENCY COORDINATION**

### **SECTION SIX**

### **AGENCY COORDINATION**

As part of the development of the EA, federal and state resource protection agencies were contacted. Responses received to date are included in Appendix A and are listed below.

- Arkansas Department of Environmental Quality (ADEQ), North Little Rock, AR
- Arkansas Department of Health, Little Rock, AR (Contacted - No Response Received)
- Arkansas Game and Fish Commission (AGFC), Little Rock, AR
- Arkansas Historic Preservation Office (SHPO), Little Rock, AR
- U.S. Army Corps of Engineers, Little Rock, AR
- U.S. Fish and Wildlife Service, Conway, AR
- United States Department of Agriculture, Natural Resources Conservation Service (USDA/NRCS), Little Rock, AR

In accordance with applicable local, state, and federal regulations, the applicant will be responsible for acquiring any necessary permits prior to commencing construction at the project site.

# **LIST OF PREPARERS**

## **SECTION SEVEN**

## **LIST OF PREPARERS**

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### SECTION EIGHT REFERENCES

Federal Emergency Management Agency (FEMA). 2012. *Public Assistance Grant Program* <http://www.fema.gov/public-assistance-local-state-tribal-and-non-profit>. Accessed October 2014.

Environmental Protection Agency (EPA). 2010. *The Greenbook Non-Attainment Areas for Criteria Pollutants*, <http://www.epa.gov/air/oaqps/greenbook/>. Last modified September 16, 2010. Accessed January 2015.

United States Census Bureau (USCB). 2010. *American Fact Finder, Fulton County, Arkansas*. [www.factfinder.census.gov](http://www.factfinder.census.gov). Accessed January 2015.

United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS). 2013. *Web Soil Survey*. <http://websoilsurvey.nrcs.usda.gov/app/>. Accessed January 2015.

United States Department of Agriculture (USDA) Soil Conservation Service (SCS). *Soil Survey of Fulton and Izard Counties*. 1984.

United States Geological Survey (USGS). 1984, *Salem, Arkansas, Salem 7.5-minute Quadrangle*. 1:24,000 series.

**APPENDIX A**

**AGENCY COORDINATION**

## **APPENDIX B**

### **EXHIBITS AND PHOTOGRAPHS**