Reviewer Name: Adam Borden, Env. Specialist FEMA-1603/1607-DR-LA

Project Name/Env. Database No: Osborne Elementary School

Parish: Orleans

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL - LOUISIANA -- 2006

See	44 Code of Federal Regula	ition Part 10		
<u>Proj</u>	ect Name/Number:	Osborne Elementary School / PW#13494 FIPS#033-UA9M2-00		
<u>Proj</u>	ect Location:	6701 Curran Blvd., New Orleans, LA 70126 Latitude: 30.0346, Longitude: -90.01514		
and appl repla	icant for replacement of the	Heavy rains and high winds from Hurricane Katrina (DR-1603) caused significant exterior Elementary School of the Recovery School District. This pw reimburses the eligible eschool's fencing, playground, benches, lighting, and canopies. The new materials will be distandards upgrades. All work will be performed in a previously disturbed area with no or other bodies of water.		
<u>Do</u>	cumentation Re	<u>equirements</u>		
		nsultation and agreements implemented to comply with the National Historic Preservation Act, and Executive Orders 11988, 11990 and 12898 are completed and no other laws apply.		
\boxtimes		plicable laws and executive orders were reviewed. Additional information for compliance is or included in project files, as applicable.		
<u>Na</u>	tional Environn	nental Policy Act (NEPA) Determination		
	Statutorily excluded from NEPA review. (Review Concluded) Programmatic Categorical Exclusion - Category (Reference PCE in comments) (Review Concluded) Categorical Exclusion - Category No Extraordinary Circumstances exist. Are project conditions required? Yes (see section V) No (Review Concluded) Extraordinary Circumstances exist (See Section IV). Extraordinary Circumstances mitigated. (See Section IV comments) Are project conditions required? Yes (see section V) No (Review Concluded) Environmental Assessment Supplemental Environmental Assessment (Reference EA or PEA in comments) Environmental Impact Statement			
Comments: This project meets the criteria for an Alternative Arrangement (Permanent Schools) type of project. This project has conditions and requires mitigation under the other Environmental and Historic Preservation (EHP) laws which are listed under the NEPA level of environmental review in the project worksheet. Any changes to this approved scope of work will require submission to, and evaluation and approval by, the state and FEMA prior to initiation of any work, for compliance with the National Environmental Policy Act. The applicant is required to obtain and comply with all local, state and federal permits and requirements. Non-compliance with the requirements noted above may jeopardize the receipt of federal funding.				
Re	viewer and App	rovals		
	Project is Non-Complian	t (See attached documentation justifying selection).		

Project Name/Env. Database No: Osborne Elementary School PW#13494

Parish: Orleans

FEMA Environmental Reviewer:
Name: Adam Borden, FPMA- Environmental Specialist
Signature Date $6-3/-0$ 6.
FEMA Regional Environmental Officer or Delegated Approving Official:
Name: Howard R. Bush, Environmental Liason Officer
Signature 2 13 Date 8.31.06
I. Compliance Review for Environmental Laws (other than NEPA)
A. National Historic Preservation Act (NHPA)
Not type of activity with potential to affect historic properties.
Activity meets Programmatic Agreement, December 3, 2004. Appendix A: Section 1 A, E and I
Are project conditions required? Yes (see Section V) No
Programmatic Agreement not applicable, must conduct standard Section 106 Review.
HISTORIC BUILDINGS AND STRUCTURES
No historic properties that are listed or 45/50 years or older in project area. (Review Concluded)
Building or structure listed or 45/50 years or older in project area and activity not exempt from review.
☐ Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
Are project conditions required?
Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
Property a National Historic Landmark and National Park Service was provided early notification
during the consultation process. If not, explain in comments No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file).
Are project conditions required? Yes (see Section V) No (Review Concluded)
Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
Resolution of Adverse Effect completed. (MOA on file)
Are project conditions required Yes (see Section V) No (Review Concluded)
ADCITEOLOGICAL DESOUDCES
ARCHEOLOGICAL RESOURCES ☑ Project affects only previously disturbed ground. (Review Concluded)
Project affects undisturbed ground.
Project area has no potential for presence of archeological resources
Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or
consultation on file). (Review Concluded)
Project area has potential for presence of archeological resources
Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)
Are project conditions required \(\sum \) Yes (see Section V) \(\sum \) No \(\frac{(Review Concluded)}{(Review Concluded)} \)
 □ Determination of historic properties affected □ NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file).
Are project conditions required Yes (see Section V) No (Review Concluded)
NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence on
file)
No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
Are project conditions required? Yes (see Section V) No (Review Concluded)
Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file) Resolution of Adverse Effect completed. (MOA on file)
Are project conditions required? Yes (see Section V) No
(Review Concluded)

Parish: Orleans

Comments: Scope of work indicates ground disturbing activities associated with removing and replacing playground equipment and playbround fill and replacing fencing and gate posts. Upon consultation of data provided by the State Historic Preservation Officer (SHPO), there is one known archaeological sites within .25 miles of the project area. However all work will occur within a previously disturbed area. Therefore, the scope of work as submitted meets the criteria outlined in the programmatic agreement dated December 3, 2004, Appendix A, Section 1 A, E and I. In accordance with this document, FEMA is not required to submit projects to the SHPO for review where the work performed meets these allowances. Any fill or borrow material used in the repair activities must be sourced from sites that do not contain any buried cultural materials (i.e. wells, cisterns, foundations, basements, prehistoric Indian artifacts, human burials, and the like). If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation staff. The applicant will not proceed with work until FEMA Historic Preservation staff have completed consultation with the Louisiana State Historic Preservation Officer (SHPO). In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Unmarked Burial Sites Board (call the Louisiana Division of Archeology at 225-342-8170) within seventy-two hours of the discovery. Failure to comply with these stipulations may jeopardize receipt of FEMA funding. Correspondence/Consultation/References: NHPA effect determinations made by Katherine Zeringue, Historic Preservation

Correspondence/Consultation/References: NHPA effect determinations made by Katherine Zeringue, Historic Preservation Specialist/Archaeologist

B. Endangered Species Act No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action. (Review Concluded) Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action. No effect to species or designated critical habitat. (See comments for justification) Are project conditions required? ☐ Yes (see Section V) ☐ No (Review Concluded) May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) (Review Concluded) Are project conditions required? ☐ Yes (see Section V) ☐ No (Review Concluded) Likely to adversely affect species or designated critical habitat Formal consultation concluded. (Biological Assessment and Biological Opinion on file) Are project conditions required? ☐ YES (see Section V) ☐ NO (Review Concluded)				
Comments: Project is located in an urban or previously developed area. Neither listed species nor their habitat occur in or near this site, thus FEMA finds there will be no effect to threatened or endangered species. Correspondence/Consultation/References: USFWS emergency consultation provisions determined in letters dated September 15, 2005 for Katrina.				
C. Coastal Barrier Resources Act ☐ Project is not on or connected to CBRA Unit or Otherwise Protected Area (Review Concluded). ☐ Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file) ☐ Proposed action an exception under Section 3505.a.6 (Review Concluded) ☐ Proposed action not excepted under Section 3505.a.6. Are project conditions required? ☐ YES (see Section V) ☐ NO (Review Concluded)				
Comments: Project is not within a CBRA zone. Correspondence/Consultation/References: Louisiana Coastal Barrier Resource System Maps referenced 08/31/06.				
D. Clean Water Act ☑ Project would not affect any waters of the U.S. (Review Concluded) ☐ Project would affect waters, including wetlands, of the U.S. ☐ Project exempted as in kind replacement or other exemption. (Review Concluded) ☐ Project requires Section 404/401/or Section 9/10 (Rivers and Harbors Act) permit, including qualification under Nationwide Permits.				

Reviewer Name: Adam Borden, Env. Specialist FEMA-1603/1607-DR-LA	Project Name/Env. Database No: Osborne Elementary School PW#13494
Are project conditions required?	Section V) NO (Review Concluded)
Comments: No jurisdictional waters of the U.S., including w Correspondence/Consultation/References: USFWS Nations on 08/31/06.	retlands, occur in or near the project area. al Wetlands Inventory map (http://www.fws.gov/nwi/) queried
E. Coastal Zone Management Act Project is not located in a coastal zone area and does not a Project is located in a coastal zone area and/or affects the State administering agency does not require consistency Are project conditions required? YES (see S	coastal zone sistency review. (Review Concluded). review. section V) NO (Review Concluded)
	nsistent with the Louisiana Coastal Resource Program. Projects or other authorization from DNR. Projects may be coordinated
F. Fish and Wildlife Coordination Act ☐ Project does not affect, control, or modify a waterway/bod ☐ Project affects controls or modifies a waterway/body of w ☐ Coordination with USFWS conducted ☐ No Recommendations offered by USFW ☐ Recommendations provided by USFW Are project conditions required? ☐ Y	vater. WS. (Review Concluded)
Comments: No streams or water bodies are located in or near Correspondence/Consultation/References: Louisiana Map (
G. Clean Air Act ☐ Project will not result in permanent air emissions. (Review Example of the Conclustion of the Conclusion of t	inistering agency.
Comments: The proposed project includes activities that word quality. No long-term air quality impact is anticipated. Correspondence/Consultation/References: EPA Region 6 N	•
	designated prime or unique farmland. on Commission required. Form AD-1006, completed. YES (see section V) NO (Review Concluded)
Comments: The project site is in a developed urbanized area prime or unique farmland present. Correspondence/Consultation/References: National Resource (http://websoilsurvey.nrcs.usda.gov/app/) referenced 08/31/06	

I. Migratory Bird Treaty Act

FEMA-1603/1607-DR-LA	PW#13494		
Project not located within a flyway zone. (Review Concluded) ☑ Project located within a flyway zone. ☑ Project does not have potential to take migratory birds. (Review Concluded) — Are project conditions required? ☐ Yes (see section V) ☑ No (Review Concluded) ☐ Project has potential to take migratory birds. ☐ Contact made with USFWS — Are project conditions required? ☐ YES (see section V) ☐ NO (Review Concluded)	arish: Orleans		
Comments: The site is an existing disturbed area with little value to migratory birds and would not be included USFWS migratory bird management program.	in the		
Correspondence/Consultation/References: USFWS guidance letter dated September 15, 2005 for Katrina			
J. Magnuson-Stevens Fishery Conservation and Management Act ☐ Project not located in or near Essential Fish Habitat. (Review Concluded) ☐ Project located in or near Essential Fish Habitat. ☐ Project does not adversely affect Essential Fish Habitat. (Review Concluded) ☐ Are project conditions required? ☐ Yes (see Section V) ☐ No (Review Concluded) ☐ Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence) ☐ NOAA Fisheries provided no recommendation(s) (Review Concluded). ☐ Are project conditions required? ☐ Yes (see Section V) ☐ No (Review Concluded) ☐ NOAA Fisheries provided recommendation(s) ☐ Written reply to NOAA Fisheries recommendations completed. ☐ Are project conditions required? ☐ YES (see Section V) ☐ NO (Review Concluded)	ŕ		
Comments: Project is not located in or near any surface waters with the potential to affect EFH species. Correspondence/Consultation/References: Louisiana Map (http://www.lamap.doa.louisiana.gov/) referenced 0.00000000000000000000000000000000000	8/31/06.		
 K. Wild and Scenic Rivers Act \[
Comments: None Correspondence/Consultation/References: National Wild and Scenic Rivers http://www.nps.gov/rivers/wildriverferenced 08/31/06.	verslist.html.		
L. Other Relevant Laws and Environmental Regulations			
State Hazardous Materials and Solid Waste Laws Comments: Removal and disposal of debris containing household hazardous waste and certain categories of liq must be performed in accordance with all applicable federal and state laws, regulations, executive orders and gu LAC title 33 part VII requires that specified items, including lead acid batteries, used oil filters, used motor oil cfc's (refrigerants), radioactive waste or regulated infectious wastes must be segregated from and excluded from hazardous debris collection, staging, processing and disposal sites. Failure to comply with applicable legal required debris collection and/or disposal operations will jeopardize federal funding. The clean-up or restoration/repair damaged as a result of such operations are ineligible for federal funding. Previously obligated funding is subject obligation if a determination of ineligibility is made.	uidelines. , scrap tires, n non- uirements in of sites		
- In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana parish Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana parishes of Calcasieu, Cameron, Jefferso Orleans, Jefferson, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, Tangipahoa and Vare under quarantine. The movement of wood or cellulose material, temporary housing or architectural compone beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the commissioner of the Louisiana Department of Agriculture and forestry or his designee(s)	n Davis, Washington ents (e.g.		

Project Name/Env. Database No: Osborne Elementary School

Reviewer Name: Adam Borden, Env. Specialist

Reviewer Name: Adam Borden, Env. Specialist FEMA-1603/1607-DR-LA

Parish: Orleans

II. Compliance Review for Executive Orders

A. E.O. 11988 - Floodplains
No Effect on Floodplains/Flood levels and project outside Floodplain - (Review Concluded)
Located in Floodplain or Effects on Floodplains/Flood levels
No adverse effect on floodplain and not adversely affected by the floodplain. (Review Concluded), Are project conditions required? Yes (see Section V) No (Review Concluded)
Beneficial Effect on Floodplain Occupancy/Values (Review Concluded).
Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain
environment
☐ 8 Step Process Complete - documentation on file
Are project conditions required? YES (see Section V) NO (Review Concluded)
Comments: The site is located in Zone A7.
http://store.msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1,
The city of New Orleans and Orleans Parish is enrolled in the National Flood Insurance Program (NFIP) as of 08/03/1970.
Per Flood Insurance Rate Map (FIRM) 225203 0115E, dated 03/01/1984, project is located in zone "V16", area of 100-year
coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined. Project is for repair to
perimeter fence, playground and canopies to pre-disaster footrpint, which is not likely to adversely affect the floodplain.
Dana Mehlman, Env. Spec. Correspondence/Consultation/References: FEMA Flood Insurance Rate Map, Community Panel No. # 225203 0115E,
dated 03/01/1984
B. E.O. 11990 - Wetlands
No Effects on Wetland(s) and project located outside Wetland(s) - (Review Concluded)
Located in Wetland or effects Wetland(s)
Beneficial Effect on Wetland - (Review Concluded)
Possible adverse effect associated with constructing in or near wetland
Review completed as part of floodplain review
8 Step Process Complete - documentation on file
Are project conditions required? YES (see Section V) NO (Review Concluded)
Comments: No wetlands were observed during site visit or determined to be present by checking the USFWS National
Wetlands Inventory (NWI) maps.
Correspondence/Consultation/References: USFWS NWI map accessed on-line
(http://wetlandsfws.er.usgs.gov/wtlnds/launch.html) 08/31/06.
C. E.O. 12898 - Environmental Justice for Low Income and Minority Populations
No Low income or minority population in, near or affected by the project - (Review Concluded)
 ✓ Low income or minority population in, near or affected by the project - (Review Concluded) ✓ Low income or minority population in or near project area
No disproportionately high and adverse impact on low income or minority population- (Review Concluded)
Disproportionately high or adverse effects on low income or minority population
Are project conditions required? YES (see Section V) NO (Review Concluded)
Comments The percent populations of 70126 are: 87.1% Black, 10.3% White, and 1.6% Hispanic. The median household
income in 1999 was \$ 30,627 and 18.8% of families are below poverty level.
Correspondence/Consultation/References: U.S. Census bureau 2000 data at http://factfinder.census.gov, referenced
08/31/06.

III. Other Environmental Issues

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

Reviewer Name: Adam Borden, Env. Specialist FEMA-1603/1607-DR-LA

State Hazardous Materials and Solid Waste Laws

Comments: Removal and disposal of debris containing household hazardous waste and certain categories of liquid wastes must be performed in accordance with all applicable federal and state laws, regulations, executive orders and guidelines. LAC title 33 part VII requires that specified items, including lead acid batteries, used oil filters, used motor oil, scrap tires, cfc's (refrigerants), radioactive waste or regulated infectious wastes must be segregated from and excluded from non-hazardous debris collection, staging, processing and disposal sites. Failure to comply with applicable legal requirements in debris collection and/or disposal operations will jeopardize federal funding. The clean-up or restoration/repair of sites damaged as a result of such operations are ineligible for federal funding. Previously obligated funding is subject to de-obligation if a determination of ineligibility is made.

-In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana parishes of Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana parishes of Calcasieu, Cameron, Jefferson Davis, Orleans, Jefferson, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, Tangipahoa and Washington are under quarantine. The movement of wood or cellulose material, temporary housing or architectural components (e.g. beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the commissioner of the Louisiana Department of Agriculture and forestry or his designee(s). Correspondence/Consultation/Reference:

IV. Extraordinary Circumstances

Based on the review of compliance with other environmental laws and Executive Orders, and in consideration of other environmental factors, review the project for extraordinary circumstances.

* A "Yes" under any circumstance may require an Environmental Assessment (EA) with the exception of (ii) which should be applied in conjunction with controversy on an environmental issue. If the circumstance can be mitigated, please explain in comments. If no, leave blank.

(i) Greater scope or size than normally experienced for a particular category of action
(ii) Actions with a high level of public controversy
(iii) Potential for degradation, even though slight, of already existing poor environmental
conditions;
(iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
(v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
(vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local
regulations or standards requiring action or attention; (vii) Actions with the potential to affect special status areas adversely or other critical resources
such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
(viii) Potential for adverse effects on health or safety; and
(ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
(x) Potential for significant cumulative impact when the proposed action is combined with
other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.
None

V. Environmental Review Project Conditions

Project Conditions:

Reviewer Name: Adam Borden, Env. Specialist FEMA-1603/1607-DR-LA

Parish: Orleans

The following conditions apply as a condition of FEMA funding reimbursement:

- Removal and disposal of debris containing household hazardous waste and certain categories of liquid wastes must be performed in accordance with all applicable federal and state laws, regulations, executive orders and guidelines. LAC title 33 part VII requires that specified items, including lead acid batteries, used oil filters, used motor oil, scrap tires, cfc's (refrigerants), radioactive waste or regulated infectious wastes must be segregated from and excluded from non-hazardous debris collection, staging, processing and disposal sites. Failure to comply with applicable legal requirements in debris collection and/or disposal operations will jeopardize federal funding. The clean-up or restoration/repair of sites damaged as a result of such operations are ineligible for federal funding. Previously obligated funding is subject to de-obligation if a determination of ineligibility is made.
- Any fill or borrow material used in the repair activities must be sourced from sites that do not contain any buried cultural materials (i.e. wells, cisterns, foundations, basements, prehistoric Indian artifacts, human burials, and the like). If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation staff. The applicant will not proceed with work until FEMA Historic Preservation staff have completed consultation with the Louisiana State Historic Preservation Officer (SHPO). In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Unmarked Burial Sites Board (call the Louisiana Division of Archeology at 225-342-8170) within seventy-two hours of the discovery. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.
- In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana parishes of Calcasieu, Cameron, Jefferson Davis, Orleans, Jefferson, Plaquemines, St. Bernard, St. Charles, St. John the Baptist, St. Tammany, Tangipahoa and Washington are under quarantine. The movement of wood or cellulose material, temporary housing or architectural components (e.g. beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the commissioner of the Louisiana Department of Agriculture and forestry or his designee(s).