



FEMA

June 28, 2007

Johnny Gonzales
GOHSEP PAO
FEMA-1603-DR-LA
415 N. 15th Street
Baton Rouge, Louisiana 70802

RE: Categorical Exclusion, Repair and Improvements to Green Charter School Modular Classrooms of the Orleans Parish School Board, Orleans Parish, Louisiana, PW#: 16281, FEMA-1603-DR-LA, PA ID: 071-UFT13-00

Dear Mr. Gonzales:

The purpose of this letter is to notify you that the Public Assistance project for Green Charter School Modular Classrooms of the Orleans Parish School Board at 2319 Valence St., New Orleans, LA 70115 (29.93369 N, 90.10621 W) has been cleared under the National Environmental Policy Act (NEPA). The Code of Federal Regulations, 44 CFR Part 10, requires that the Federal Emergency Management Agency (FEMA) take into account environmental considerations when authorizing or approving major actions. This project has been determined to be categorically excluded in accordance with 44 CFR Part 10.8(d)(2)(xii & xv), from the need to prepare either an environmental impact statement or environmental assessment. No extraordinary circumstances in accordance with 44 CFR 10.8(d)(3) have been identified regarding this action. The Project Worksheet is attached. Particular attention should be given to the general comments and conditions before and during project implementation. Failure to comply with these conditions may jeopardize federal assistance including funding.

The following conditions apply to this project:

- 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).
- 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.
- This project involves the demolition or renovation of a public structure. Regardless of the asbestos content, the applicant is responsible for ensuring that renovation or demolition activities are coordinated with the Louisiana Department of Environmental Quality (LDEQ) in accordance with the LDEQ "Tenth Amended Declaration of Emergency and Administrative Order" dated May 14, 2007, and the LESHAP protocol dated March 1, 2006, incorporating the provisions of EPA's National Emission Standards for Hazardous Air Pollutants (NESHAP) and the Louisiana Administrative Code (LAC) 33.III.5151 and Chapter 27. Should Asbestos Containing Materials (ACMs) be present at the project site, the applicant is also responsible for ensuring proper disposal in accordance with the previously referenced administrative orders.
- Demolition must follow the lower-impact demolition stipulations which are attached. These stipulations should be explicit in the demolition contract. If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall

notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery. If this scope of work and/or the footprint/location of the new building changes, this project will need to be resubmitted for further Section 106 review prior to ground disturbing activities taking place. Failure to comply with these stipulations may jeopardize receipt of federal funding.

- Applicant is required to coordinate with local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. Applicant is responsible for meeting all requirements of the permit(s). All coordination pertaining to these permit(s), should be documented to the local floodplain administrator and copies provided to LA GOHSEP and FEMA as part of the permanent project files. In compliance with E.O. 11988, a completed 8-step process showing considered alternatives is attached. Per 44 CFR 9.11 alternatives were reviewed. Per 44 CFR 9.11(d) (9), the replacement of building contents, materials and equipment, where possible, disaster proofing of the building and/or elimination of such future losses by relocation of those building contents, materials and equipment to or above the advisory base floodplain. Per 44 CFR 9.12, applicant must publish a final public notice 15 days prior to the start of construction activities. Final public notice is to be forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files.

Please note that this transmittal is a notification that this project has been cleared under NEPA only. **This is not a notice of final approval or eligibility.** Any change beyond the approved scope of work for this project will require additional environmental review by FEMA.

Sincerely,

Branda M. Clark

for Howard R. Bush
Environmental Liaison Officer
FEMA-1603/7-DR