

# Draft Supplemental Environmental Assessment

City of New Orleans:  
Di Benedetto Playground  
Orleans Parish  
FEMA-1603-DR-LA

New Orleans, Louisiana  
*December 2013*

**U.S. Department of Homeland Security**  
**Federal Emergency Management Agency, Region VI**  
**Louisiana Recovery Office**  
**New Orleans, Louisiana 70114**



**FEMA**

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## LIST OF ACRONYMS

ABFE	Advisory Base Flood Elevation
ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effects
BMPs	Best Management Practices
CED	Comprehensive Environmental Document
CEQ	Council for Environmental Quality
CFR	Code of Federal Regulations
CNO	City of New Orleans
CUP	Coastal Use Permit
DFIRM	Digital Flood Insurance Rate Map
EA	Environmental Assessment
EO	Executive Order
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FT	Feet
HEAG	Highest Existing Adjacent Grade
HP	Historic Preservation
HUD	Housing and Urban Development
LA GOHSEP	Louisiana Governor's Office of Homeland Security and Emergency Preparedness
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
LPDES	Louisiana Pollutant Discharge Elimination System
NAVD 88	North American Vertical Datum of 1988
NEPA	National Environmental Policy Act
NETR	National Environmental Title Research
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
OSHA	Occupational Safety & Health Administration
PA	Public Assistance Grant Program
PNP	Private Non-Profit
ROD	Record of Decision
SEA	Supplemental Environmental Assessment
SHPO	State Historic Preservation Office/Officer
US	United States
USACE	United States Army Corps of Engineers
USGS	United States Geological Survey

## **1.0 INTRODUCTION**

### **1.1 Project Authority**

Hurricane Katrina made landfall on August 29, 2005 near the town of Buras, Louisiana with sustained winds of more than 125 mph. President George W. Bush declared a major disaster for the State of Louisiana (FEMA-1603-DR-LA) on August 29, 2005, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide Federal assistance in designated areas of Louisiana. This is pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. Section 406 of the Stafford Act authorizes FEMA's Public Assistance Program (PA) to assist in funding the repair, restoration, reconstruction, or replacement of public facilities damaged as a result of a declared disaster. FEMA's implementing regulations for the PA Program are found in 44 Code of Federal Regulations (CFR), Part 206.

An Environmental Assessment (EA) was developed for the U.S. Department of Housing and Urban Development (HUD), and HUD issued a Finding of No Significant Impact (FONSI), dated April 17, 2012. Any federal agency may adopt another federal agency's EA, and is encouraged to do so when such adoption would save time and money (40 C.F.R. §§ 1500.4[n], 1500.5[h], and 1506.3), providing the original document satisfies the adopting agency's National Environmental Policy Act (NEPA) requirements. FEMA has adopted HUD's EA and has also provided supplemental information. HUD's EA is included as Appendix A to this document.

This draft Supplemental Environmental Assessment (SEA) has been conducted in accordance with NEPA, the President's Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 C.F.R. §§ 1500-1508), and FEMA's implementing regulations at 44 C.F.R., Part 10.

### **1.2 Background**

Di Benedetto Playground, owned by the City of New Orleans (CNO), sustained major damage as a result of Hurricane Katrina and was deemed eligible by FEMA for federal disaster public assistance as a non-critical recreational facility serving the needs of the general public.

Di Benedetto Playground is located at 4700 Papania Street in New Orleans, LA 70127, Orleans Parish, Latitude 30.02439, Longitude -89.95973 (*Figures 1 and 2*). The facility consists of two (2) baseball fields with pole lighting, a playground area with equipment, a basketball court, and a 20' x 50' concessions building with restrooms (*Figure 2*). Hurricane force wind and floodwaters caused severe damage to all components of the playground site. FEMA has previously approved demolition of the facility's concessions building.

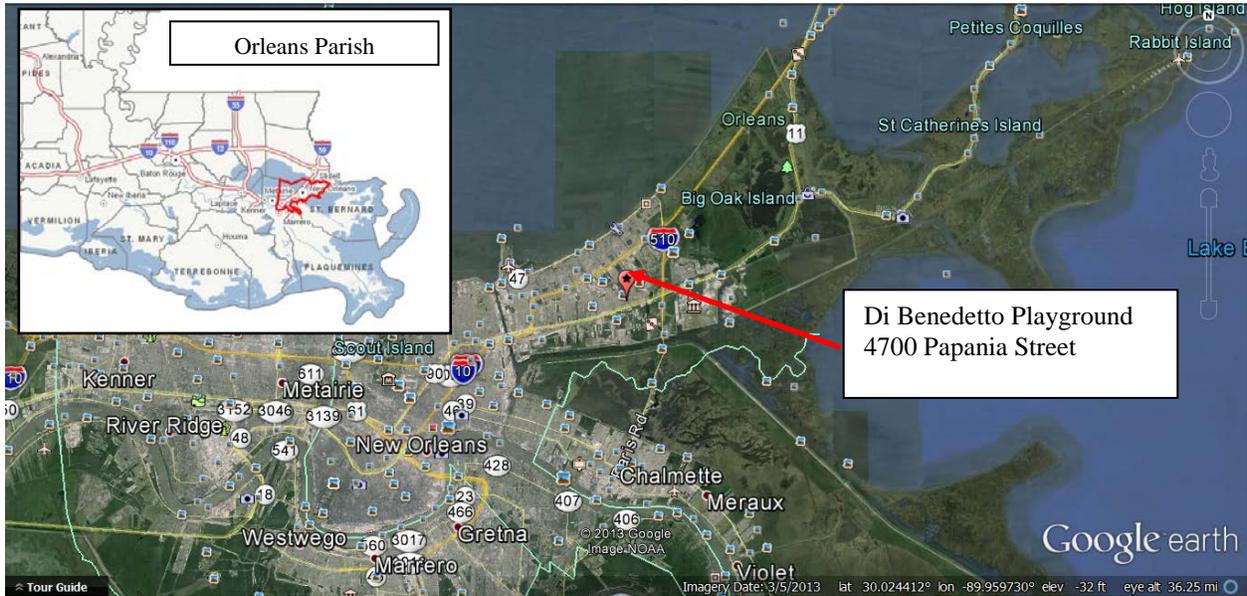


Figure 1 – Extended Aerial, 4700 Papania Street, New Orleans, LA (Google Images, 2013)



Figure 2 – Proposed Project Site with Existing Structures (Google Images 2013)

## **2.0 PURPOSE AND NEED**

The objective of FEMA's PA Grant Program is to provide assistance to State, Tribal and local governments, and certain types of Private Nonprofit (PNP) organizations, so that communities can quickly respond to, recover from, and mitigate major disasters and emergencies.

Prior to Hurricane Katrina, Di Benedetto Playground served as a community recreational facility, providing space and equipment for various neighborhood athletic and recreational activities. Restoration of facilities and services lost as a result of Hurricane Katrina in a manner that best serves the local community is needed for FEMA PA to achieve its objective.

## **3.0 ALTERNATIVES**

The NEPA process consists of an evaluation of the environmental effects of a federal undertaking, including its alternatives. This section describes alternatives proposed and considered in addressing the purpose and need stated in Section 2.0 above. Three (3) alternatives have been proposed and reviewed for this project. They include: 1) No Action; 2) Repair of the facility to pre-disaster design and capacity; and 3) Repair and reconstruction of the facility at the same general location, with a different configuration, and with improvements (Proposed Action).

### **3.1 Alternative 1 - No Action**

Under the No Action alternative, there would be no repair or reconstruction of Di Benedetto Playground structures and equipment. Consequently, the community would be unable to utilize this public facility and its damaged structures would continue to present hazards to the community. This alternative does not meet the purpose and need, but will continue to be evaluated throughout this SEA and serve as a baseline comparison of impacts from other action alternatives.

### **3.2 Alternative 2 – Repair/Reconstruct in Same Footprint to Pre-Disaster Condition**

This action alternative would repair or reconstruct damaged Di Benedetto Playground structures to their pre-disaster configuration, function and capacity in the same footprint, restoring community services as they existed prior to Hurricane Katrina. This alternative meets the purpose and need and will continue to be evaluated throughout this SEA.

### **3.3 Alternative 3 – Repair with Improvements at Same General Site (Proposed Action)**

Under this alternative (Figure 3), the existing concessions building and playground equipment would be demolished. A new, larger, playground area with new playground equipment would be constructed at the existing site in a different footprint. A new covered pavilion would be constructed (Figure 4). The basketball court would be repaired and resurfaced; new backboards, rims and goals would be installed. Lighting and other safety equipment and features, a concrete slab for ADA accessible portable toilets, landscaping, fencing, picnic tables, benches, bike racks and sidewalks, would be repaired, replaced, improved or newly installed. This alternative meets the purpose and need of the action and will be further evaluated throughout this SEA.



## 4.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS

### 4.1 Floodplains

Executive Order 11988, 46 FR 26951 (Floodplain Management) requires Federal agencies avoid direct or indirect support or development within the 100-year floodplain whenever there is a practicable alternative. FEMA's EO 11988 compliance regulations are found at 44 CFR Part 9. FEMA uses Flood Insurance Rate Maps (FIRMs) to identify the regulatory 100-year floodplain for the National Flood Insurance Program (NFIP).

Orleans Parish enrolled in the NFIP as of 08/03/1970. Orleans Parish Advisory Base Flood Elevation Maps (ABFEs) were issued June 2006 (FEMA, 2006), and are currently adopted by the Orleans Parish NFIP community for floodplain management purposes. This site is shown on ABFE Panel OR-LA-EE35 (*Figure 5*), Elevation (EL) -4 or 3 ft. above the Highest Existing Adjacent Grade (HEAG). Per Revised Preliminary Digital Flood Insurance Rate Map (DFIRM) panel number 22071C0139F, dated 11/09/2012 (*Figure 6*), the site is located within a Shaded Zone X, an area of 0.2% annual chance (500-year) flood, protected by levees from the 1% annual chance (100-year) flood.

#### Alternative 1 – No Action

Under the No Action Alternative no construction would occur and there would be no determinable impacts to floodplain elevations.

#### Alternative 2 – Repair/Reconstruct in the Same Footprint to Pre-Disaster Condition

Repair and reconstruction would match the prior capacity of the pre-existing facility footprints, and not likely have a determinable effect on floodplain functions and values. In compliance with EO 11988, an 8-step process was completed and documentation is attached in Appendix B.

Per 44 CFR 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the NFIP. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s). All coordination with the local floodplain administrator, and applicant compliance should be documented and copies forwarded to the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP) and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.

#### Alternative 3 – Repair with Improvements at Same General Site (Proposed Alternative)

Per Revised Preliminary DFIRM panel number 22071C0139F, the proposed project is located within a Shaded Zone X, area of 0.2% annual chance (500-year) flood, protected by levees from the 1% annual chance (100-year) flood. Demolition, repair, reconstruction and reorientation of structures within the same general footprint would have no determinable impact on the floodplain elevations; nor would it increase development within the 100-year floodplain. In compliance with EO 11988, an 8-step process was completed and documentation is attached in Appendix B.

Per 44 CFR 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s). All coordination with the local floodplain administrator, and applicant compliance should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.





Figure 6 – Revised Digital Flood Insurance Rate Map Panel No. 22071C0139F (FEMA Preliminary Dated November 9, 2012)

## 4.2 Cultural Resources

### 4.2.1 Regulatory Setting

The consideration of impacts to historic and cultural resources is mandated under Section 101(b)4 of the NEPA as implemented by 40 CFR, Parts 1501-1508. Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account their effects on historic properties (*i.e.*, historic and cultural resources) and allow the Advisory Council on Historic Preservation (ACHP) an opportunity to comment. FEMA has chosen to address potential impacts to historic properties through the “Section 106 consultation process” of the NHPA as implemented through 36 CFR, Part 800.

In order to fulfill its Section 106 responsibilities, FEMA has initiated consultation on this project in accordance with the Statewide Programmatic Agreement (PA), dated August 17, 2009, and amended on July 22, 2011 (2009 Statewide PA, as amended), between FEMA, the Louisiana State Historic Preservation Officer (SHPO), the LA GOHSEP, the Alabama-Coushatta Tribe of Texas, the Caddo Nation, the Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Tunica-Biloxi Tribe of Louisiana, and the ACHP. The 2009 Statewide PA, as amended, was created to streamline the Section 106 review process.

The “Section 106 process” outlined in the Statewide PA requires the identification of historic properties that may be affected by the proposed action or alternatives within the project’s area of potential effects (APE). Historic properties, defined in Section 101(a)(1)(A) of NHPA, include districts, sites (archaeological and religious/cultural), buildings, structures, and objects that are listed in or determined eligible for listing in the National Register of Historic Places (NRHP). Historic properties are identified by qualified agency representatives in consultation with interested parties. Below is a consideration of various alternatives and their effects on historic properties.

FEMA Historic Preservation staff consulted the NRHP Database, and the Louisiana Cultural Resources Map on November 12, 2013, and determined that the project area is not located within

a NRHP-listed historic district, nor is it located within the view-shed of a property individually listed in the NRHP. The structures located within the project area were found to be less than 50 years of age and do not exhibit the significance to qualify for listing under Criterion Consideration G. The playground is composed of a grassed area and park-related structures constructed in the late 1960s to early 1990s. None of the standing structures within Di Benedetto Playground are older than 50 years of age.

Upon consultation of data provided by SHPO on October 7, 2013, there are no recorded archaeological sites within one mile of the archaeological APE. The 1892 Chef Menteur United States Geological Survey quad map has the APE overlaying the backswamp. The 1938 and 1951 Little Woods USGS quad has the APE overlaying an undeveloped area. An unknown 1962 USGS quad accessed on November 7, 2013 on NETR Online identifies the APE as overlaying open space. An unknown 1965 aerial photo accessed on November 7, 2013 on NETR Online identifies the basketball court, but not the concession stand, within the APE, and has the surrounding neighborhood well developed. There are no historic Sanborn Fire Insurance maps for this area. The APE is located within the Low Probability Zone for archaeological resources. The soils within the APE consist of Kenner-Allemands-Water, a fresh water gulf coast deltaic marsh. Based on all the available evidence, it is unlikely that intact NRHP-eligible archaeological deposits would be uncovered within the APE.

#### Alternative 1 – No Action

This alternative does not include any FEMA undertaking; therefore, FEMA has no further responsibilities under Section 106 of the NHPA.

#### Alternative 2 – Repair/Reconstruct in Same Footprint to Pre-Disaster Condition

FEMA has determined that undertaking would have “No Effect” to historic properties. FEMA notified SHPO of the undertaking, and consultation with the affected tribes (Alabama-Coushatta Tribe of Texas, Choctaw Nation of Oklahoma, Coushatta Tribe of Louisiana, Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Muscogee Creek Nation, Quapaw Tribe of Oklahoma, Seminole Nation of Oklahoma, Tunica-Biloxi Tribe of Louisiana) was conducted per FEMA’s Programmatic Agreement dated August 17, 2009 and amended on July 22, 2011. The Choctaw Nation of Oklahoma and Coushatta tribe of Louisiana submitted written concurrence with the determination. FEMA does not anticipate any objections from other affected Tribes within the regulatory timeframes. Once the timeframes are complete, in accordance with Stipulation VII.E (1) of the PA and 36 C.F.R., part 800.5(c)(1), FEMA would proceed with funding the undertaking assuming concurrence. The applicant must comply with the NHPA conditions set forth in this SEA (Louisiana Unmarked Human Burial Sites Preservation Act and Inadvertent Discovery Clause).

#### Alternative 3 – Repair with Improvements at Same General Site (Proposed Alternative)

FEMA has determined that undertaking would have “No Effect” to historic properties. FEMA notified SHPO of the undertaking, and consultation with the affected tribes (Alabama-Coushatta Tribe of Texas, Choctaw Nation of Oklahoma, Coushatta Tribe of Louisiana, Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Muscogee Creek Nation, Quapaw Tribe of Oklahoma, Seminole Nation of Oklahoma, Tunica-Biloxi Tribe of Louisiana) was conducted per FEMA’s Programmatic Agreement dated August 17, 2009 and amended on July 22, 2011 (PA). The Choctaw Nation of Oklahoma and Coushatta tribe of Louisiana submitted written

concurrence with the determination. FEMA does not anticipate any objections from other affected Tribes within the regulatory timeframes. Once the timeframes are complete, in accordance with Stipulation VII.E (1) of the PA and 36 C.F.R., part 800.5(c)(1), FEMA would proceed with funding the undertaking assuming concurrence. The applicant must comply with the NHPA conditions set forth in this SEA (Louisiana Unmarked Human Burial Sites Preservation Act and Inadvertent Discovery Clause).

### **4.3 Environmental Justice**

Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” was signed on February 11, 1994. The Executive Order directs federal agencies to make achieving environmental justice part of their missions by identifying and addressing, as appropriate, disproportionately high adverse human health, environmental, economic, and social effects of its programs, policies and activities on minority or low-income populations.

Socioeconomic and demographic data for the project area was reviewed to determine if the proposed action would have a disproportionate adverse impact on minority or low-income persons. According to the U.S. Census, the population of the City of New Orleans is 60.2% Black or African American, 33.0% White, and 2.9% Asian. The median household income for the City of New Orleans is \$37,468, and 24.4% of families earn below the poverty level. U.S. Census Bureau, 2010 Census Data.

The population of zip code 70127 is: 93% Black or African American; 3.4% White; 1.4% Asian; and 2.0% Hispanic or Latino. The median household income is \$28,678; and approximately 30.2% of families live in poverty. U.S. Census Bureau, 2010 Census Data.

#### Alternative 1 – No Action

The No Action Alternative would result in the lost facilities and functions not being replaced, thus potentially depriving the community of important services and resulting in adverse or disproportionate impacts on minority or low-income populations.

#### Alternative 2 – Repair/Reconstruct in Same Footprint to Pre-Disaster Condition

Restoring recreational functions at the project site would likely bestow some level of social and or economic benefit to area residents, and would not result in disproportionate adverse impacts to low-income or minority populations.

#### Alternative 3 – Repair with Improvements at Same Site (Proposed Alternative)

The Proposed Action would have no disproportionate adverse human health, economic, or social effects on low-income or minority populations. The project would provide long term benefits to the community by providing accessible recreational services to all residents of the community.

### **5.0 CUMULATIVE IMPACTS**

The CEQ’s regulations state that 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 C.F.R. § 1508.7).

In accordance with NEPA, and to the extent reasonable and practicable, this draft SEA considered the combined effects of the Proposed Action Alternative and other actions undertaken by FEMA and other public and private entities that affect environmental resources the proposed action would affect, and that occur within the considered geographic area and temporal frame(s).

Specifically, a range of past, present and reasonably foreseeable actions undertaken by FEMA within the designated geographic boundary area were reviewed: (1) for similarities such as scope of work, common timing and geography; (2) to determine environmental effects similar to those of the proposed action, if any; and (3) to identify the potential for cumulative impacts. All FEMA funded actions are subjected to various levels of environmental review as a requirement for the receipt of federal funding. An applicant’s failure to comply with any required environmental permitting or other condition is a serious violation which can result in the loss of federal assistance, including funding.

FEMA also reviewed past, present and reasonably foreseeable projects of federal resource agencies and other parties within the designated geographic boundary, including U.S. Army Corps of Engineers (USACE) projects within southeastern Louisiana and the greater New Orleans area, and USACE’s Phase I, Final Comprehensive Environmental Document (CED), released in May 2013. These reviews were performed in order to assess the proposed actions and effects of completed and ongoing actions, and to determine whether the incremental impact of the instant proposed action, when combined with the effects of other past, present, and reasonably foreseeable future projects, are cumulatively considerable or significant.

FEMA has determined that the incremental effects of the other infrastructure recovery and improvement actions are likely to be similar to the impacts and effects described in this EA for the present proposed action, in that the effects to socioeconomic resources are expected to be beneficial, and effects to other similar resources expected to be either non-existent, or minimal and temporary. FEMA has further determined that the incremental impact of the present proposed project, when combined with the effects of other past, present, and reasonably foreseeable future projects, are neither cumulatively considerable nor significant.

These infrastructure actions, some of which have already occurred, and many of which will occur concurrent with and or subsequent to the proposed action, are necessary as a result of the unprecedented devastation caused by the 2005 hurricanes, in order to restore pre-disaster conditions. In reviewing impacts, socioeconomic resources were identified as having the most potential to experience cumulative effects. Although devastating, the 2005 storms created an opportunity for the municipal Applicant to serve residents in the Di Benedetto Playground area and surrounding neighborhoods by re-opening neighborhood playground and athletic facilities, thereby filling a void for available child and adult recreational services. Considered in relation to past, present, and reasonably foreseeable future actions, the cumulative impact of the proposed action to the built and natural environment would be minimal, would be beneficial rather than detrimental, and is not expected to contribute to any adverse effects or to otherwise significantly affect the human environment.

## 6.0 CONDITIONS AND MITIGATION MEASURES

Based upon the studies and consultations undertaken in this SEA, several conditions must be met and mitigation measures must be taken by CNO prior to and during project implementation.

- The Applicant is required to comply with all state, federal and local laws and regulations and is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities at the proposed site in accordance with applicable local, state, and federal regulations.
- New construction must be compliant with current codes and standards. In accordance with applicable local, state, and federal regulations, the applicant is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities.
- A Storm Water General Permit must be filed with the Louisiana Department of Environmental Quality (LDEQ) prior to commencement of construction.
- A Louisiana Pollution Discharge Elimination System (LPDES) may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If required to do so by LDEQ, the Applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution prevention plan approved by LDEQ to prevent sediment and construction material transport from the project site. The Applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- The Applicant is responsible for coordinating with and obtaining any required Coastal Use Permit(s) (CUP) or other authorizations from the Louisiana Department of Natural Resources (LDNR) Office of Coastal Management's Permits and Mitigation Division prior to initiating work. The applicant must comply with all conditions of the required permits. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.
- Unusable equipment, debris and material shall be disposed of in an approved manner and location. The applicant shall handle, manage, and dispose of petroleum products, hazardous materials and/or toxic waste in accordance with all local, state and Federal agency requirements. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- A certified risk assessor must conduct a Lead Hazard Screen and the subsequent Risk Assessment if necessary.
- If hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment,

remediation and management of the contamination should be initiated in accordance with applicable federal, state, and local regulations.

- To reduce potential short term effects to air quality from construction related activities, the contractor should use Best Management Practices (BMPs) to reduce fugitive dust generation and diesel emissions. The contractor should water down construction areas when necessary to minimize particulate matter and dust. To reduce emission criteria pollutants, fuel-burning equipment running times should be kept at a minimum and engines should be properly maintained.
- All construction activities should be conducted in a safe manner in accordance with Occupational Safety and Health Administration (OSHA) requirements.
- New construction must be compliant with current codes and standards. Per 44 C.F.R. § 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the NFIP. The applicant is required to coordinate all construction activities with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities, and remain in compliance with formally adopted local floodplain ordinances. All coordination pertaining to these permit(s) should be documented and provided to the local floodplain administrator, to the LA GOHSEP, and to FEMA as part of the permanent project file. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.
- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present with the project area, 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.
- Inadvertent Discovery Clause: If during the course of work, archaeological artifacts (prehistoric or historic) 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 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, and others as appropriate.

## **7.0 PUBLIC INVOLVEMENT**

FEMA has invited the public to comment on the proposed action during a fifteen (15) day comment period. A public notice was published for three (3) days in the local newspaper, *The Times-Picayune*, announcing the availability of this draft SEA for review at the Orleans Parish Main Library at 219 Loyola Avenue, New Orleans, LA 70112, and at the East New Orleans Branch at 5641 Read Boulevard, New Orleans, LA 70127. A copy of the Public Notice is attached in Appendix C.

## 8.0 LIST OF PREPARERS

Tiffany Spann-Winfield	Deputy Environmental Liaison Officer, FEMA, LRO
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Adam Borden	Lead Environmental Protection Specialist, FEMA, LRO
Richard Williamson	Archaeologist/Historic Preservation Specialist, FEMA, LRO
Annette Carroll	Historic Preservation Specialist, FEMA, LRO

## 9.0 REFERENCES

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**Appendix A**  
**HUD EA**

**Appendix B**  
**Eight-Step Decision Making Process**

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**Public Notice**

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**Draft FONSI**

**Appendix E**  
**Design Plans**

**Appendix A**  
**HUD EA**

**COMPLIANCE DOCUMENTATION CHECKLIST**  
**24 CFR 58.6**

Project Name: Di Benedetto Playground Project Application ID: ILTR-00269

Project Description: Improvements and rehabilitation of the Di Benedetto Playground and construction of a dog run area.

Project Location: 4700 Papania Street, New Orleans, Louisiana

Level of Environmental Review Determination: 4

Select One: (1) Exempt per 24 CFR 58.34, or (2) Categorically Excluded not subject to statutes per 58.35 (b), or (3) Categorically Excluded subject to statutes per 58.35(a), or (4) Environmental Assessment per 58.36, or (5) EIS per 40 CFR 1500

**STATUTES and REGULATIONS listed at 24 CFR 58.6**

**FLOOD DISASTER PROTECTION ACT**

1. Does the project involve acquisition, construction or rehabilitation of structures located in a FEMA-identified Special Flood Zone?

No; Cite Source Document:

Yes; Cite Source Document: The site is entirely located within the 100-year floodplain per the FEMA Preliminary Digital Flood Insurance Rate Maps.

2. Is the community participating in the National Insurance Program (or has less than one year passed since FEMA notification of Special Flood Hazards)?

No; **(Federal assistance may not be used in the Special Flood Hazards Area).**

Yes; (Flood Insurance under the National Flood Insurance Program must be obtained and maintained for the economic life of the project, in the amount of the total project cost. A copy of the flood insurance policy declaration must be kept on file). (Appendix I)

**COASTAL BARRIERS RESOURCES ACT**

1. Is the project located in a coastal barrier resource area?

No; Cite Source Documentation: According to the United States Fish and Wildlife Service Coastal Barrier Resource System, coastal barriers are not present in Orleans Parish  
(This element is completed)

Yes; **Federal assistance may not be used in such an area.**

**AIRPORT RUNWAY CLEAR ZONES AND CLEAR ZONES DISCLOSURES**

1. Does the project involve the sale or acquisition of existing property within a Civil Airport's Runway Clear Zone or a Military Installation's Clear Zone?

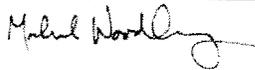
No; Cite Source Documentation: Louisiana Department of Transportation 2007 data

Project Complies with 24 CFR 51.303(a)(3).

Yes; Disclosure statement must be provided to buyer and a copy of the signed disclosure must be maintained in this Environmental Review Record (Appendix II).

Prepared by (name and title): Michael Woodbury, ENVIRON Senior Manager

Signature:



Date:

April, 2012

V.G. 4-17-12

  
4/17/12

# The Times-Picayune

3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70125-1429 7 54 TELEPHONE (504) 826-3201

Exhibit A  
Attached

State of Louisiana

Parish of Orleans

City of New Orleans

Personally appeared before me, a Notary in and for the parish of Orleans, Heather Grant who deposes and says that she is an Assistant Controller of The Times-Picayune, L.L.C., a Louisiana Corporation, Publishers of The Times-Picayune, Daily and Sunday, of general circulation; doing business in the City of New Orleans and the State of Louisiana, and that the attached

### OFFICIAL NOTICE

Re: NOCP 6841. Combined notice of finding of no significant impact and intent to request release of funds

Advertisement of Office of Recovery Planning and

Development

1300 Poydras St, Ste 1000  
New Orleans, LA 70112

Was published in The Times Picayune

3800 Howard Ave  
New Orleans, LA 70125

On the following dates April 23, 2012

I attest that the copy attached hereto as "Exhibit A" is a true and correct copy of the advertisement published in The Times-Picayune on these dates.

27th

Sworn to and subscribed before me this  
Day of July, 2012

Notary Public

My commission expires at my death.  
Charles A. Ferguson, Jr.

Notary identification number 23492

9930 Legal Notices	9930 Legal Notices	9930 Legal Notices	9930 Legal Notices	9930 Legal Notices
<b>OFFICIAL NOTICE</b>	<b>OFFICIAL NOTICE</b>	<b>OFFICIAL NOTICE</b>	<b>OFFICIAL NOTICE</b>	<b>OFFICIAL NOTICE</b>
<p>BOARD OF ZONING ADJUSTMENTS PUBLIC HEARING NOTICE Monday, May 14, 2012 10:00 a.m. City Council Chamber City Hall, 1300 Perdido St., New Orleans, Louisiana</p> <p>The Board of Zoning Adjustments in accordance with the provisions of Article 16.9.2(1) of the Comprehensive Zoning Ordinance #4264 M.C.S., as amended, will hold a public hearing on Monday, May 14, 2012 at 10:00 a.m. in the City Council Chamber, City Hall, 1300 Perdido St. on the following proposed BZA variance applications.</p> <p>This meeting is accessible to people with disabilities. Requests for additional accommodations or any assistance to participate may be directed to the Office of Public Advocacy at 504-658-4015 (voice), 504-658-4002 (facsimile), or the City's TTY 504-586-4475. This communiqué is available in alternative formats upon request.</p> <p>Deferred Director of Safety and Permits Decision Appeals: None</p> <p>Deferred Dockets: 1. 074-12 1923 Bodenger Boulevard, Kristopher Bailey 2. 081-12 2540 Banks Street, Gregory Guth 3. 086-12 8232 Fig Street, John M. Lemann 4. 093-12 211 South Lopez Street, Orleans Parish School Board and Verges Rome Architects 5. 095-12 5936 Oxford Place, Roy Curtis Baham 6. 096-12 1828-1830 Charbonnet Street, Earl Randall and Robert Wolfe Construction</p> <p>New Business Dockets: 7. #100-12 3832 Annunciation Street, Devin Regan 8. Current Address: 517 General Taylor Street 9. #101-12 3830 Annunciation Street, Devin Regan 10. Current Address: 517 General Taylor Street</p>	<p>11. #102-12 517 General Taylor Street, Devin Regan 12. #103-12 3856 Dryades Street, Michael Wong 13. #104-12 901 Polk Street, Robert and Dudley Major 14. #105-12 1311-1313 Vignaud Street, Cheryl Ellsworth 15. #106-12 7920 Cynthia Drive, Lolamae Brown and Brandon C. Wells 16. #107-12 5829 Marcia Avenue, Trung V. Tran 17. #108-12 8 Dunleith Court, Robert G. &amp; Bonnie L. Lippincott 18. #109-12 24202 Chef Menteur Highway, Harold F. Bozes 19. #110-12 3837-3839 Havana Place, George Rabb, Jr. and Renovate, Inc. 20. #111-12 5961 Magazine Street, DRR Ventures, LLC 21. #112-12 4925-4927 Lonely Oak Drive, Brenda Hunter 22. #113-12 3818 Louisiana Avenue Parkway, Broadmoore Development Corp. and Karley D. Frankic 23. #114-12 2904 Tulane Avenue, P.F. Developers and Andre Neff 24. #115-12 2225 Congress Street/3501 North Miro Street, St. Mary of the Angels Roman Catholic Church, Denechaud &amp; Denechaud</p> <p>Director of Safety and Permits Decision Appeals: 25. #116-12 6135-6137 Bellaire Drive, Cambridge Court LLC, Robert E. Couchig, III 26. #117-12 6139-6141 Bellaire Drive, Cambridge Court LLC, Robert E. Couchig, III 27. #118-12 6191-6193 Bellaire Drive, Cambridge Court LLC, Robert E. Couchig, III 28. #119-12 6248-6250 Bellaire Drive, Cambridge Court LLC, Robert E. Couchig, III 29. #120-12 6254-6256 Bellaire Drive, Cambridge Court LLC, Robert E. Couchig, III 30. #121-12 508 Chartres Street, 508 Chartres Street, Justin B. Schmidt 31. #122-12 1311 Vignaud Street, Cheryl Ellsworth, owner, Wm. David Davas Applicant</p>	<p>Advertisement Dates: April 16, 23 and 30, 2012 NOCP 6812 *****</p> <p>COMBINED NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND INTENT TO REQUEST RELEASE OF FUNDS</p> <p>April 23, 2012 Office of Community Development 1340 Poydras Street New Orleans, LA 70112 (504) 658-4200</p> <p>This Notice shall satisfy the above-cited two separate but related procedural notification requirements.</p> <p>REQUEST FOR RELEASE OF FUNDS</p> <p>The City of New Orleans' Office of Community Development (OCD) will submit to the Louisiana State Office of Community Development (LOCD) on or about May 9, 2012 for the release of funds under the FY 2006 Department of Defense Appropriations Act, in accordance with the "Notice of Funding Availability" published in the Federal Register on February 13, 2006, for the purpose of repairing and improving the existing Di Benedetto playground. The project includes the construction of a new playground area, installation of new fencing, installation of new basketball court and equipment, construction of a dog run area, demolition and installation of new play equipment, safety features, and benches, and landscaping. The project name is Di Benedetto Playground. Federal funds in the amount of \$261,841.04,00 will be used for the repairs and improvements. The grant number is B-06-DG-22-0001. Total project is \$301,841.04</p> <p>FINDING OF NO SIGNIFICANT IMPACT</p> <p>The City of New Orleans has determined that the project will not have a significant impact on the human environment. Therefore,</p>	<p>an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the City of New Orleans, Office of Community Development (OCD), 1340 Poydras Street, 10th Floor, New Orleans, LA 70112 and may be examined or copied weekdays between the hours of 8:30 A.M. - 5:00 P.M.</p> <p>PUBLIC COMMENTS</p> <p>Any individual, group, or agency disagreeing with this determination or wishing to comment on the project may submit written comments to Shirley Smith, Director of Environmental Compliance in the Office of Community Development (OCD) located at 1340 Poydras Street, 10th Floor, New Orleans, LA 70112. Comments can also be emailed to <a href="mailto:sasmith@noia.gov">sasmith@noia.gov</a>. All comments received by May 9, 2012 will be considered by the City of New Orleans' Office of Community Development prior to authorizing submission of a request for release of funds. Commentors should specify which part of this notice they are addressing.</p> <p>RELEASE OF FUNDS</p> <p>The City of New Orleans certifies to LOCD that Anthony M. Faclane Sr. in his capacity as Certifying Officer for Environmental Reviews consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. LOCD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the City of New Orleans to use program funds.</p> <p>OBJECTIONS TO RELEASE</p>	<p>OF FUNDS</p> <p>LOCD will accept objections to its release of funds and the LOCD's certification received by May 24, 2012 or a period of fifteen days from its receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer or other officer of the City of New Orleans approved by LOCD; (b) the City of New Orleans has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the project have committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by LOCD; or (d) another federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58) and shall be addressed to: Thomas Brennan Deputy Executive Director Louisiana Division of Administration Office of Community Development ("LOCD") 150 Third Street, 6th Floor Baton Rouge, LA 70801</p> <p>Potential objectors should contact LOCD to verify the actual last day of the objection period.</p> <p>Mitchell J. Landrieu, Mayor</p> <p>Cedric S. Grant, Deputy Mayor of Facilities, Infrastructure, and Community Development</p> <p>Anthony M. Faclane Sr. Director for Neighborhood Stabilization Environmental Certifying Officer NOCP 6841 *****</p>

# STATUTORY CHECKLIST

## 24 CFR §58.5 STATUTES, EXECUTIVE ORDERS & REGULATIONS

**Application ID:** ILTR-00269

**Project Name:** Di Benedetto Playground Project

**Project Description:** Project activities to be undertaken as the Di Benedetto Playground Project are as follows:

- Construction of a new playground area;
- Demolition and installation of new play equipment, safety features, and benches;
- Installation of new fencing;
- Installation of new basketball court and equipment;
- Landscaping; and
- Construction of a dog run area.

**Location:** 4700 Papania Street, New Orleans, LA

This project requires an Environmental Assessment in accordance with 24 CFR 58.36

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	N/A	Consultation, Review, Permits Required	Consistency Determination	Condition, Mitigation	<b>Compliance Documentation</b> Appendix III
Historic Preservation [36 CFR Part 800]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed project does not lie within an existing historic district (GIS Figure 3). In correspondence dated February 29, 2012, the Louisiana Department of Culture, Recreation, and Tourism State Historic Preservation Officer noted "No known historic properties will be affected by this undertaking."
Floodplain Management [24 CFR 55, Executive Order 11988]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The proposed project site is entirely located within the FEMA Preliminary Digital Flood Insurance Rate Maps (PDFIRM) 100-year floodplain (GIS Figure 4a, GIS Figure 4b). Due to the nature of the project as a renovation and improvements project on an existing park, impacts to the floodplain as a result of the project are not anticipated to occur. Flood insurance must be maintained on all structures on the property to be constructed or rehabilitated. A detailed discussion on project alternatives and potential impacts, as they relate to the location of the site within the floodplain, are included in the attached "Floodplain and Wetland Management 8-Step Process" document.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	N/A	Consultation, Review, Permits Required	Consistency Determination	Condition, Mitigation	<b>Compliance Documentation</b> <b>Appendix III</b>
Wetland Protection [Executive Order 11990]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No wetlands were identified in the project area (GIS Figures 1, 2). A response from the Army Corps of Engineers dated February 7, 2012 stated that the site does not fall within areas designated as wetland and will not require Department of the Army (DA) permitting.
Coastal Zone Management Coastal Zone Management Act [Sections 307(c), (d)]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	A response from the Louisiana Department of Natural Resources (LDNR) was received dated February 8, 2012 for the Di Benedetto Playground Project. In this response, the LDNR identified the project location as being located within the Coastal Management Zone. Projects located within this zone generally require a Coastal Use Permit through the LDNR Office of Coastal Restoration and Management. However, the project is likely exempt from Coastal Use Permitting due to the project location being exempt, considered as "fastlands" under 43 LAC 723.B.2.
Sole Source Aquifers Safe Drinking Water Act (42 USC 201, 300(f) & 21 U.S.C. 349) [40 CFR 149]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No Sole Source aquifers occur within Orleans Parish (GIS Figure 5).
Fish and Wildlife Endangered Species Act [50 CFR 402]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A response dated January 27, 2012 from the Louisiana Department of Wildlife and Fisheries indicates the proposed project will not result in negative impacts to rare, threatened or endangered species, or critical habitats. Additionally, a response dated January 25, 2012 from the U.S. Fish and Wildlife Services, Louisiana Field Office notes that the project will have no effect on resources protected by the Endangered Species Act.
Wild and Scenic Rivers Wild and Scenic Rivers Act [Sections 7(b), and (c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No federally listed Wild or Scenic rivers occur in Orleans Parish. One state listed wild and scenic river, Bayou St. John, occurs within Orleans Parish (GIS Figure 6). The project will not impact Bayou St. John.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	N/A	Consultation, Review, Permits Required	Consistency Determination	Condition, Mitigation	<b>Compliance Documentation</b> <b>Appendix III</b>
Clean Air Clean Air Act [Sections 176(c), (d), and 40 CFR 6, 51, 93]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A response from Louisiana Department of Environmental Quality dated February 2, 2012 indicates that the department has no objections to the project and that the proposed project will not result in adverse impacts to air quality. However, the department included several comments regarding environmental compliance issues such as the need for various approvals and environmental permits, updating LPDES documents as necessary, control of nonpoint source pollution from construction activities, LDEQ storm water general permitting, groundwater protection, water softeners, and solid/hazardous waste. Note that local and state regulations must be adhered to during construction to control particulate matter, in order to ensure air quality.
Farmland Protection Farmland Protection Policy Act [7 CFR 658]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project location lies within an area designated by the Natural Resource Conservation Service (NRCS) as "Prime Farmland" (GIS Figure 7). However, a response from the NRCS dated January 26, 2012 indicates that the project area is located within a pre-existing urban area, and is therefore exempt from the rules and regulations of the Farmland Protection Policy Act.
Environmental Justice [Executive Order 12898]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Environmental justice impacts are not anticipated to occur as a result of the project, as the Director of the City of New Orleans Mayor's Office of Environmental Affairs noted in correspondence dated February 22, 2012. Please see the attached "Environmental Justice Protocol" document for an analysis of potential environmental justice issues and mitigating measures.
Water Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A response dated January 23, 2012 from the New Orleans Sewerage and Water Board and a response from the LDEQ dated February 2, 2012 indicate the project will not result in adverse impacts to the local water conditions. However, according to proposed site layout, disturbed ground area may be greater than one acre in size, and an LDEQ storm water permit may be required.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	N/A	Consultation, Review, Permits Required	Consistency Determination	Condition, Mitigation	<b>Compliance Documentation</b> <b>Appendix III</b>
State/Local Statutes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All site and structure modification will be subject to conformance with state and local statutes, particularly those concerning construction and modification regulated by the New Orleans Department of Public Works, the New Orleans Sewerage and Water Board, the New Orleans Department of Sanitation, the New Orleans City Planning Commission, and the New Orleans Department of Safety and Permits. These statutes are provided in publically available state and local codes and standards.
<b>HUD ENVIRONMENTAL STANDARDS</b>					
Noise Abatement and Control [24 CFR 51B]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The project is located adjacent the 3,000 foot noise buffer zone for a railroad (GIS Figure 8). Noise conditions experienced by citizens utilizing the park are not anticipated to differ from pre-Katrina levels, nor are they anticipated to significantly impact activities proposed for the site. Construction noise is not anticipated to impact the surrounding neighborhood, and noise levels generated by the park post-construction are not expected to differ significantly from pre-construction levels and are not expected to impact the surrounding community. In a response dated January 23, 2012, E. Horan, Zoning Administrator for the New Orleans Department of Safety and Permits, indicates that the proposed project will have no impact on ambient noise levels.
Explosive and Flammable Operations [24 CFR 58C]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	According to E. Horan, Zoning Administrator for the City of New Orleans Department of Safety and Permits, in correspondence dated January 23, 2012, impacts to the project or resulting from the project related to explosive or flammable factors are not anticipated to occur. No explosive or flammable operations were identified within the acceptable separation distance as depicted within GIS Mapping (GIS Figure 19).

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5	N/A	Consultation, Review, Permits Required	Consistency Determination	Condition, Mitigation	<b>Compliance Documentation</b> Appendix III
Toxic Chemicals and Radioactive Materials [24 CFR 58.5(i)]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	According to GIS mapping, the project location is not located within the following applicable buffer zones: Risk Management Plan Facility Locations (GIS Figure 11), State Listed Radioactive Materials Facility Locations (GIS Figure 12), RCRA Treatment, Storage, and Disposal areas or National Priority List Site Areas (GIS Figure 13), Toxic Release Inventory areas (GIS Figure 14), Registered Underground Storage Tanks, (GIS Figure 16), or Hazardous Waste Generators (GIS Figure 17). The project location is within the applicable buffer zones for Leaking Underground Storage Tanks (GIS Figure 10). However, this proximity alone does not represent an environmental concern to the site or project. Further consultation with the LDEQ would be necessary to determine impacts, if any, from this source. Refer to the executive summary for additional details.
Airport Clear Zones and Accident Potential Zones [24 CFR 51D]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Louisiana Department of Transportation 2007 data indicates no active airports are located within one mile of the site (GIS Figure 18).
Solid Waste Disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No evidence of solid waste facilities was identified in the immediate proximity of this site (GIS Figure 15). Additionally, solid waste generated as a result of the proposed action will be disposed of in a manner consistent with applicable state and local regulations. According to the New Orleans Department of Sanitation in correspondence dated January 20, 2012, no impact to sanitation systems will result from the proposed action.

PREPARER SIGNATURE: Michael Woodbury DATE: April, 2012

PREPARER NAME: Michael Woodbury, ENVIRON Senior Manager V.G. 4-17-12  
*Anthony M. Faciane Sr.*  
 4/17/12

**RESPONSIBLE ENTITY AGENCY**

OFFICIAL SIGNATURE: Anthony M. Faciane Sr. DATE: 4/19/12

NAME, TITLE: Anthony M. Faciane Sr., Director for Neighborhood Stabilization

**Environmental Review Record**  
**City of New Orleans Di Benedetto Playground Project**

**EXECUTIVE SUMMARY**

**Applicant:** City of New Orleans

**Designated Signee:** Anthony Faciane,  
Director for Neighborhood Stabilization  
City of New Orleans Office of Community Development

**Project Name:** Di Benedetto Playground  
New Orleans, Louisiana

**Application ID:** ILTR-00269

**PROJECT DESCRIPTION**

The City of New Orleans intends to use Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funding to engage in improvements to the Di Benedetto Playground, located at 4700 Papania Street (coordinates 30.024576°N, -89.959985°W), which lies on approximately 1.9 acres of land (see Figure 1: Site Location Map). Existing features and current site layout are shown in Figure 2: Site Layout. FEMA funding will be used to enact repairs to the playground, which include only eligible repairs that bring the park to its pre-Katrina condition and capacity. FEMA repairs include primarily the demolition/reconstruction of the concession building and repairs to the high mast lighting, water fountains, and fencing.

The site was developed as a community park and playground prior to Hurricane Katrina. The area sustained high winds, torrential rain and severe flooding during the storm, and Di Benedetto Playground withstood approximately eight feet of standing water and wind damage to the concession building, fencing, play equipment, and high mast lighting. This project is proposed as part of a collective recovery effort resulting from the effects of Hurricane Katrina and is intended to aid in the removal of blight and the acceleration of local redevelopment.

Project activities to be undertaken as the Di Benedetto Playground Project are as follows:

- Construction of a new playground area;
- Demolition and installation of new play equipment, safety features, and benches;
- Installation of new fencing;
- Installation of new basketball court and equipment;
- Landscaping; and
- Construction of a dog run area.

All improvements and renovations will be done in conformity with the Louisiana Uniform Construction Code and all applicable New Orleans Parish codes and regulations.

## EXISTING ENVIRONMENTAL CONDITIONS AND TRENDS

In accordance with 24 CFR 58.36, an Environmental Assessment level of review consists of a project review of potential environmental impacts as described in the U.S. Department of Housing and Urban Development (HUD) “*Statutory Checklist*” and “*Environmental Assessment Checklist*” addressing the regulatory authorities and laws of 24 CFR 58.5 and 58.36. The following discussion outlines the actions conducted by the City to perform this required level of review.

Internal GIS database mapping was performed for the City by ENVIRON International Corporation (ENVIRON) for a wide number of environmental indicators including floodplains, historic districts, surface waters, sole source aquifers, wild and scenic rivers, prime farmland, railroad noise, roadway noise, explosive and flammable sites, risk management plan facility locations, radioactive material facility locations, national priority list locations, toxic release inventory facility locations, solid waste facilities, underground storage tanks, leaking underground storage tanks, and hazardous waste generators. These findings are provided in a series of GIS figures included with this report.

ENVIRON, on behalf of the City, submitted letters to various state and federal agencies seeking comments on potential environmental impacts from the proposed actions associated with the Di Benedetto Playground Project. The letters enclosed an activity description and mapping of the proposed location in Orleans Parish. The agencies were asked to comment on the potential environmental impacts of the improvements to the playground site. Agencies solicited for comment include: the United States Army Corps of Engineers (ACOE), the U.S. Fish and Wildlife Service (USFWS), the Louisiana Department of Wildlife and Fisheries (LDWF), the Louisiana Office of Culture, Recreation, and Tourism, State Historic Preservation Officer (SHPO), Louisiana Department of Environmental Quality (LDEQ), the Louisiana Department of Natural Resources (LDNR), the U.S. Department of Agriculture National Resource Conservation Service (NRCS), and the Orleans Levee District (OLD). The agency responses are included with this Environmental Review Record (ERR) in the “State and Federal Agency Response” section.

The LDWF responded on January 27, 2012 stating: “*no impacts to rare, threatened, or endangered species or critical habitats are anticipated for the proposed project.*” Similarly, the USFWS also indicated in a response dated January 25, 2012 that they did not foresee any adverse impacts to threatened and endangered species and critical habitats protected under the Endangered Species Act.

The SHPO was contacted via letter to determine whether there are any recreational, cultural, or historical resources on or near the project location that may potentially be impacted by the Di Benedetto Playground Project. In a response dated February 29, 2012, the Deputy State Historic Preservation Officer noted that “*No known historic properties will be affected by this undertaking.*”

ENVIRON, on behalf of the City, submitted a letter seeking comment from the ACOE on the potential impact of the proposed activities associated with the Di Benedetto Playground Project on wetlands and waters of the United States. In a response dated February 7, 2012, the ACOE determined that the property was not a wetland subject to Corps' jurisdiction.

ENVIRON, on behalf of the City, submitted a letter seeking comment from the LDNR regarding a Coastal Zone Management Act Consistency Determination and Coastal Zone Permitting Requirements or Exemptions for the proposed actions associated with the Di Benedetto Playground Project. The LDNR responded on February 8, 2012 stating that receiving funds for the project is consistent with the Louisiana Coastal Resource Program. LDNR also noted that as proposed activities occur within a coastal zone, a Coastal Use Permit may be required and therefore a Coastal Use Permit Application should be submitted to LDNR Office of Coastal Restoration and Management. However, the requirement of a Coastal Use Permit for this particular project will likely not be necessary due to a "fastlands" exemption under 43 L.A.C. 723.B.2. A "Request for Determination" may be submitted to LDNR to confirm this exemption.

The LDEQ responded to a letter of solicitation from ENVIRON on February 2, 2012. The LDEQ correspondence via email states: *"the department has no objections based on the information provided in your submittal."* LDEQ also provided a series of general comments within their correspondence, specifically relating to the potential need for a Louisiana Pollutant Discharge Elimination System (LPDES) application and/or modification, control of nonpoint source pollution from construction activities, storm water general permits for construction areas equal to or greater than one acre, permitting of sanitary wastewater treatment facilities, work within wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, protection of the groundwater, notification regarding water system improvements including water softeners, renovation or remodeling requirements with regard to lead based paint and asbestos, emission standards for asbestos for renovations or demolitions, and procedures for encountering solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents. The total park size is estimated at approximately 1.9 acres in size. Note that if site grading activities exceed 1 acre, an LDEQ Storm Water General Permit will be required for this action.

The OLD response dated January 25, 2012 states: *"This project is located greater than 300' from a hurricane levee and 1500' from the Mississippi River levee, and as a result, a permit is not required."* Similarly, the NRCS also responded within a letter dated January 26, 2012, stating *"The project map submitted with your request indicates that the proposed construction areas are within urban areas and therefore is exempt from the rules and regulations of the Farmland Protection Policy Act"*.

ENVIRON, on behalf of the City, contacted key officials within various local agencies of the City of New Orleans to evaluate the impacts of the project to infrastructure and services. The responses to these inquiries are provided in the "Local Agency Correspondence" section of this Environmental Review Record. Local agencies responding included the New Orleans Recreation Department, the City of New Orleans Sewerage and Water Board, New Orleans Office of Community Development (NOOCD) - Economic Development, the New Orleans Police Department, the NOOCD - Environmental Affairs, the New Orleans Department of Sanitation,

the New Orleans Department of Health, the City of New Orleans Department of Parks and Parkways, the Orleans Parish School Board, the New Orleans City Planning Commission, the New Orleans Department of Safety and Permits, the New Orleans Fire Department, and the New Orleans Department of Public Works.

Although solicited for comment on January 20, 2012, the following agencies chose not to respond with comments within two weeks: the New Orleans Recovery School District, and the New Orleans Historic District Landmarks Commission

City Officials reported that the Di Benedetto Playground Project would not result in discernable impacts to the local infrastructure.

ENVIRON conducted site reconnaissance of the Di Benedetto Playground Project site to identify any environmental hazards in addition to those previously identified in the database search, in accordance with HUD guidance documents. These hazards include visible toxic or flammable sites/items which could potentially affect nearby properties adversely. No hazards were identified during the site visit.

### **CONDITIONS OF FINDING OF NO SIGNIFICANT IMPACT**

The City will publish a combined notice of Findings of No Significant Impact (FONSI) and Request for Release of Funds (RROF) for the Di Benedetto Playground Project in March, 2012. This notice will publish in the Times- Picayune newspaper in New Orleans. A copy of the combined notice will be appended to this Environmental Review Record.

### **SUMMARY OF FINDINGS AND CONCLUSIONS**

Based on the City's review of this project, a review of GIS-based environmental databases, site reconnaissance, and comments received from various local, state, and federal agencies, a number of environmental factors and conditions were identified for the Di Benedetto Playground Project that may warrant either further assessment or mitigation. These conditions are being placed into the terms of the CDBG grant from Housing and Urban Development. A summary of these conditions is presented in the following section.

### **ENVIRONMENTAL CONDITIONS**

The environmental conditions investigated fall into three categories:

- 1) ***Specific Conditions***: These conditions will require further consultation, permitting, or mitigation;
- 2) ***Other Considerations***: These include recommendations for further consideration or consultation; and
- 3) ***Exempt Environmental Conditions***: These conditions, although exempt from HUD standards, are provided for completion of the record.

### **Specific Conditions**

The Di Benedetto Playground Project was evaluated for specific environmental conditions listed among the requirements of 24 CFR Part 58 for HUD-assisted projects. For these conditions, further agency consultation or mitigation is required.

### **Chemical/Physical Hazards Associated with the Existing Structures and Features**

For properties that will include demolition or rehabilitation, it is recommended that proof of utility disconnections that could otherwise pose a safety or health hazard (e.g., natural gas, fuel gas, sewer and electrical service lines, and underground storage tanks) be provided to contractors prior to the commencement of work. Contractors are required to comply with applicable OSHA worker protection standards for construction workers for protection against hazards. Construction and demolition debris must be managed, transported and disposed by licensed/permitted contractors and solid or hazardous waste facilities. These permits include but are not limited to those required by the Resource Conservation and Recovery Act and applicable State of Louisiana Solid and Hazardous Waste rules, regulations and standards (including actions associated with construction and demolition debris generated as a result of Hurricane Katrina). Contractors must be made aware of these safety and waste-related requirements.

### **Potential Impacts to Water Quality**

If the project activities result in a discharge of wastewater to an existing wastewater treatment system, LDEQ will likely indicate that the wastewater treatment system's Louisiana Pollutant Discharge Elimination System (LPDES) permit be updated before accepting additional wastewater. Storm water discharges resulting from construction activities greater than one acre in size are subject to permitting in accordance with LAC 33:IX.2511. The terms of any such permit under LDEQ or EPA jurisdiction will apply to construction activities conducted as part of this planned action. Sites between one and five in size are subject to permitting. This will include filing a Notice of Intent with LDEQ, preparation of a storm water pollution prevention plan, and complying with the standard permit conditions outlined in LDEQ Storm Water General Permit for Small Construction Activities (Master Permit Number LAR2000000). Construction sites greater than five acres in size are also subject to permitting, and are required to file a site-specific permit application with LDEQ. The Di Benedetto Playground Project site is greater than one acre in size, and if grading or construction areas are to exceed one acre, a storm water permit will be required.

### **Actions Located Within the 100-year Floodplain**

Properties located within the 100-year floodplain must provide proof of flood insurance at the time of closing for new structures constructed on the property and for substantial improvements to existing structures. These structures must be elevated above the base flood elevation established by FEMA or the local parish. Alternatively, the structures must be designed to meet flood-proofing requirements in accordance with the National Flood Insurance Program. In the absence meeting base flood elevation criteria or flood-proofing requirements, a justification must be provided in the ERR. Note that new structures built within New Orleans, regardless of floodplain designation, must be elevated above the base flood elevation established by FEMA or the local parish, or designed to meet flood-proofing requirements in accordance with the National Flood Insurance Program. For an in depth analysis of floodplain and wetlands

management, refer to the attached document; "Procedure for Making a Determination on Floodplain Management and Wetlands: Eight Step Process".

### **Other Considerations**

The following environmental conditions were noted during the performance of this environmental review as being potentially applicable to the subject site and may thus warrant further consideration or consultation.

### **Potential Impacts to Air Quality**

Although the project will not create any new air emission sources, construction activities at the site will be subject to the control of airborne particulates to avoid visibility impairments along adjacent highways in accordance with LAC 33:III.1303.B through 1305.

### **Potential for Elevated Lead Concentrations in Surface Soils**

Properties that have had former structures present may have been coated with lead-based paint (e.g. built prior to 1978). Lead from the paint as well as from historical activities associated with the urban area, such as leaded gasoline combustion in cars, could have impacted surface soils at the site. If the proposed activities at these locations would have the potential to expose workers or future users of the site to soil particles, further evaluation or abatement may be necessary. According to HUD guidelines, such evaluation would include a Lead Hazard Screen and/or Risk Assessment to determine if lead impacts are present above applicable standards. The risk assessment identifies lead hazards and, if appropriate, lead hazard reduction methods required at the site. A certified risk assessor must conduct the Lead Hazard Screen and the subsequent Risk Assessment if necessary. If it is determined that a Risk Assessment is required, then the LDEQ may need to be consulted based on soil sampling results. As an alternative to conducting screening and assessments at the site, covering the entire site with three to six inches of clean top soil may mitigate potential concerns with lead, dependent upon the intended use. The concentration of lead in soils at this site is unknown.

### **Properties Located within the Louisiana Coastal Management Zone**

All land in Orleans Parish is located in the Coastal Management Zone (CMZ) of Louisiana. Unless otherwise exempt, surface alterations that may have direct and significant impacts on coastal waters require notification and a Coastal Use Permit from the Louisiana Department of Natural Resources Coastal Management Division and must comply with the guidelines of 43 LAC I:711. Activities requiring notification or permits include urban developments involving more than one structure and most activities requiring permits from the United States Army Corps of Engineers. Exemptions from permitting generally include single family residential construction, repair and maintenance, activities in fastlands, and activities on land above elevation of 5 feet mean sea level. The project site is likely exempt from permitting due to the location in a fastlands area. A "Request for Determination" can be filed with the LDNR to confirm this exemption.

### **Properties Located near Potential Releases of Toxic Substances**

The project site is located at a distance or direction from a site that may have released hazardous substances or petroleum into the environment. Such sites may include solid waste landfills or dumps, leaking underground storage tanks, or National Priority List (i.e., "Superfund") facilities falling under the contamination/toxic policy of 24 CFR 58.5(i)(2)(iii). Specifically, the project is located near a leaking underground storage tank. The site has not been evaluated for contamination from this source. However, further consultation with LDEQ would be required to verify current conditions and to evaluate potential impacts to the property, if any, from the leaking underground storage tank. Impacts from this listed site on the subject property, if found, may require future land use and development restrictions depending on the constituents of concern and their concentrations, media impacted, and potential exposure pathways. Specifically, the project site is located within the 3,000 foot buffer zone of a leaking underground storage tank facility.

### **Exempt Conditions**

Certain conditions were identified as part of this environmental review, and determined by HUD to be exempt from the environmental review requirements of Part 58. These are described in the attachment "Listing of Significant Environmental Considerations".

#### *DISCLAIMER:*

*Grantee acknowledges that the environmental review conducted for the property is not intended to constitute "All Appropriate Inquiry" under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA). Grantee acknowledges that the City of New Orleans and its contractors are released from any and all liability that may be associated with recognized environmental conditions that may exist in connection with the property.*

# Environmental Assessment Checklist

Application ID: ILTR-00269

Project Name: Di Benedetto Playground Project

Project Description: Project activities to be undertaken as the Di Benedetto Playground Project are as follows:

- Construction of a new playground area;
- Demolition and installation of new play equipment, safety features, and benches;
- Installation of new fencing;
- Installation of new basketball court and equipment;
- Landscaping; and
- Construction of a dog run area.

Location: 4700 Papania Street, New Orleans, LA

This project is determined to be an Environmental Assessment according to: 58.36

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING  REFERENCE NOTES
	NONE	MINOR	MAJOR		
<b>Land Development</b>					
Conformance with Comprehensive Plans and Zoning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated February 17, 2012 from Y. Rodriguez, Executive Director of the New Orleans City Planning Commission, indicates that the project conforms to the comprehensive plans and zoning. She notes, "the site is within an RS-2 Single Family Residential Zoning District and within a Parks and Open Space Future Land Use in the Master Plan."
Compatibility and Urban Impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated February 17, 2012 from Y. Rodriguez, Executive Director of the New Orleans City Planning Commission, indicates that the project is compatible with the local community and overall society of the urban environment.
Slope	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated February 17, 2012 from Y. Rodriguez, Executive Director of the New Orleans City Planning Commission, indicates that the project will not negatively impact the topography of the site or nearby locations.
Erosion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated February 17, 2012 from Y. Rodriguez, Executive Director of the New Orleans City Planning Commission, indicates that the project will not result in excessive erosion of the site or nearby locations.
Soil Suitability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated January 23, 2012 from E. Horan, Zoning Administrator for the New Orleans Department of Safety and Permits, confirms that the local soil conditions are suitable for the proposed project.

# Environmental Assessment Checklist

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING  REFERENCE NOTES
	NONE	MINOR	MAJOR		
Hazards and Nuisances Including Site Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated January 23, 2012 from E. Horan, Zoning Administrator for the New Orleans Department of Safety and Permits, indicates that the project will not create hazards or nuisances. ✓
Energy Consumption	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated January 23, 2012 from E. Horan, Zoning Administrator for the New Orleans Department of Safety and Permits, indicates that the energy consumption for the project does not present a significant increase over the current energy uses of the community. ✓
<b>Noise</b>					
Effects of Ambient Noise on Project and Contribution to Community Noise Levels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	The project is located within HUD-specified noise source buffer for railroads (GIS Figure 8). In a response dated January 23, 2012, E. Horan, Zoning Administrator for the New Orleans Department of Safety and Permits, indicates that the proposed project will have no effect on ambient noise levels. Noise may be generated by construction activities, but noise generated from construction equipment and machinery used to improve hurricane damaged properties (i.e., trucks and backhoes) is considered exempt from HUD standards. ✓
<b>Air Quality</b>					
Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response from Louisiana Department of Environmental Quality dated February 2, 2012 indicates that the department has no objections to the project and that the proposed project will not result in adverse impacts to air quality. However, the department included several comments within their response regarding environmental compliance issues such as the need for various approvals and environmental permits, updating LPDES documents as necessary, control of nonpoint source pollution from construction activities, LDEQ storm water general permitting, groundwater protection, water softeners, and solid/hazardous waste. Note that local and state regulations must be adhered to during construction to control particulate matter, in order to ensure air quality.
<b>Environmental Design, Historic Values and Urban Impact</b>					
Visual Quality Coherence, Diversity, Compatible Use and Scale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated February 17, 2012 from Y. Rodriguez, Executive Director of the New Orleans City Planning Commission, indicates that the project will not result in a negative effect to the visual quality of the outdoor space. Due to design plans not being submitted for the project, there was no comment provided for the visually compatibility of the project. However, due to the nature of the project as improvements to an existing playground, negative impacts are not anticipated to occur. ✓

# Environmental Assessment Checklist

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING
	NONE	MINOR	MAJOR		REFERENCE NOTES
Historic, Cultural and Archaeological Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>The proposed project does not lie within an existing historic district (GIS figure 3). In correspondence dated February 29, 2012, the Louisiana Department of Culture, Recreation, and Tourism State Historic Preservation Officer noted "<i>No known historic properties will be affected by this undertaking.</i>" Although solicited for comment, the New Orleans Historic District Landmarks Commission declined to respond regarding historic properties that may be affected by the Di Benedetto Playground Project. However, based on the response from the State Historic Preservation Officer and the site's location outside of a historic district, it was determined that no negative impact to historic properties in the community is anticipated.</p> <p style="text-align: right;">✓</p>
<b>Socioeconomic</b>					
Demographic Character Changes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>According to a January 23, 2012 response from B. Little-Wood of the NOOCD – Economic Development Office, no changes in the demographic character of the surrounding area will occur as a result of the project.</p> <p style="text-align: right;">✓</p>
Displacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>According to a January 23, 2012 response from B. Little-Wood of the NOOCD – Economic Development Office, the project will not lead to displacement of residents or local businesses.</p> <p style="text-align: right;">✓</p>
Employment and Income Patterns	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>According to a January 23, 2012 response from B. Little-Wood of the NOOCD – Economic Development Office, employment and income patterns will not be negatively affected by the project.</p> <p style="text-align: right;">✓</p>
<b>Community Facilities and Services</b>					
Educational Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>A response dated February 7, 2012 from H. Taitt, Executive Director of the Orleans Parish School Board, states that no impact is anticipated to local educational facilities as a result of this project.</p> <p style="text-align: right;">✓</p>
Commercial Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>According to a January 23, 2012 response from B. Little-Wood of the NOOCD – Economic Development Office, negative impacts to local commercial business facilities are not anticipated.</p> <p style="text-align: right;">✓</p>
Health Care	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>The New Orleans Health Department responded on February 14, 2012 noting that no impacts to community health care are anticipated to result from the project.</p>
Social Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>The New Orleans Health Department responded on February 14, 2012 noting that no impacts to community social services are anticipated to result from the project.</p> <p style="text-align: right;">✓</p>

# Environmental Assessment Checklist

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING  REFERENCE NOTES
	NONE	MINOR	MAJOR		
Solid Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>There are no municipal or industrial solid waste facilities within the vicinity of the project (GIS Figure 15). The New Orleans Department of Sanitation responded January 20, 2012, stating that the proposed project is not anticipated to have an impact on solid waste services in the city.</p> <p style="text-align: right;">✓</p>
Waste Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>Per a response dated January 23, 2012 from Brian Jones of the New Orleans Sewerage and Water Board, no impacts relative to community water concerns are anticipated to result from the proposed action.</p> <p style="text-align: right;">✓</p>
Storm Water	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Storm water permitting	<p>Per a response dated January 23, 2012 from Brian Jones of the New Orleans Sewerage and Water Board, the proposed project will not result in a significant increase of storm water runoff into surrounding property or stress the current water handling infrastructure. The LDEQ stated in correspondence dated February 2, 2012 that no objections exist based on submitted information, and the LDEQ recommends investigating certain listed water-quality requirements that may affect the project. If the project is to disturb more than one acre of ground, a Stormwater General Permit Number LAR2000000 will need to be filed with LDEQ prior to construction.</p> <p style="text-align: right;">✓</p>
Water Supply	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>Per a response dated January 23, 2012 from Brian Jones of the New Orleans Sewerage and Water Board, the project will not create an additional demand on the community water supply nor negatively impact the quality of the local water supply.</p> <p style="text-align: right;">✓</p>
<b>Public Safety</b>					
Police	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>A response dated February 13, 2012 from James Treadaway, Commander and Chief of Staff of the New Orleans Police Department notes that no additional demand on the local police department is anticipated to occur based from this project.</p> <p style="text-align: right;">✓</p>
Fire	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>A response dated January 24, 2012 from Joseph R. Matthews, Deputy Superintendent of the New Orleans Fire Department notes that the project will have no effect on the demand of the local fire department.</p> <p style="text-align: right;">✓</p>
Emergency Medical	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>Emergency Medical Services are not anticipated to be impacted by the proposed project. The area is currently being serviced.</p> <p style="text-align: right;">✓</p>

# Environmental Assessment Checklist

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING
	NONE	MINOR	MAJOR		REFERENCE NOTES
<b>Open Space and Recreation</b>					
Open Space	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated January 16, 2012 from Donna Petrie, Maintenance Supervisor of the New Orleans Recreation Development Commission notes that the project will not have a negative effect on local recreation in the area. <i>creation of open space</i>
Recreation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated January 16, 2012 from Donna Petrie, Maintenance Supervisor of the New Orleans Recreation Development Commission notes that the project will not have a negative effect on local recreation in the area. ✓
Cultural Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated January 16, 2012 from Donna Petrie, Maintenance Supervisor of the New Orleans Recreation Development Commission notes that the project will not have a negative effect on local cultural facilities. ✓
<b>Transportation</b>					
Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	A response dated February 10, 2012 from Richard Scheirman, Principal Civil Engineer of the Department of Public Works notes that the project will not generate a negative effect on local transportation systems such as roads, railways, and airports. The project area is currently serviced by the New Orleans Regional Transit Authority (RTA) (GIS Figure 21). ✓
<b>Natural Features</b>					
Water Resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storm water permitting	The LDEQ stated in correspondence dated February 2, 2012 that no objections exist based upon the information submitted. However, the Department recommends investigating certain listed water-quality requirements (e.g. wastewater and storm water permitting, groundwater protection, point source pollution) which may influence the proposed project. If the project design is to disturb more than one acre of ground, a Storm water General Permit Number LAR2000000 will need to be filed with LDEQ prior to construction. ✓
Surface Water	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storm water permitting	Per a response dated January 23, 2012 from Brian Jones of the New Orleans Sewerage and Water Board, no impacts to surface waters are to be expected as a result of the project. The LDEQ stated in correspondence dated February 2, 2012 that no objections exist based on the information submitted, but recommends taking all necessary precaution to control non-point source pollution which could potentially result from construction activities. If the disturbed ground area is to be greater than one acre in size, an LDEQ storm water permit will be required. ✓

# Environmental Assessment Checklist

Impact Categories	IMPACT ANTICIPATED			REQUIRES MITIGATION OR MODIFICATION	NOTE CONDITIONS AND/OR SOURCE DOCUMENTATION THAT SUPPORTS FINDING  REFERENCE NOTES
	NONE	MINOR	MAJOR		
Floodplains	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Flood Insurance	<p>The proposed project site is entirely located within the FEMA Preliminary Digital Flood Insurance Rate Maps (PDFIRM) 100-year floodplain. Flood insurance for any new or improved structures will be required upon completion. Due to the nature of the project as a renovation and improvements project on an existing park, significant impacts to the floodplain as a result of the project are not anticipated to occur. A detailed discussion on project alternatives and potential impacts, as they relate to the location of the site within the floodplain, are included in the attached "Floodplain and Wetland Management 8-Step Process" document.</p> <p style="text-align: right;">✓</p>
Wetlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>No wetlands were identified in the project area (GIS Figures 1, 2). A response from the Army Corps of Engineers dated February 7, 2012 stated that the site does not fall within areas designated as wetland and will not require Department of the Army (DA) permitting.</p> <p style="text-align: right;">✓</p>
Coastal Zone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>A response from the Louisiana Department of Natural Resources (LDNR) was received dated February 8, 2012. In this response, the LDNR identified the project location as being located within the Coastal Management Zone. Projects located within this zone generally require a Coastal Use Permit through the LDNR Office of Coastal Restoration and Management. However, the project is likely exempt from Coastal Use Permitting due to the project location being considered within "fastlands"; see 43 LAC 723.B.2. A "Request for Determination" can be filed with the LDNR to confirm this exemption.</p> <p style="text-align: right;">✓</p>
Unique Natural Features and Agricultural Lands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>A response from the Natural Resource Conservation Service dated January 26, 2012 indicates the proposed project is located within a pre-existing urban area, and is therefore exempt from the rules and regulations of the Farmland Protection Policy Act.</p> <p style="text-align: right;">✓</p>
Vegetation and Wildlife	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	<p>A response dated January 27, 2012 from the Louisiana Department of Wildlife and Fisheries indicates the proposed project will not result in negative impacts to rare, threatened, or endangered species, or critical habitats. Additionally, a response dated January 25, 2012 from the U.S. Fish and Wildlife Services, Louisiana Field Office notes that the project will have no effect on resources protected by the Endangered Species Act.</p> <p style="text-align: right;">✓</p>

# Environmental Assessment Checklist

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## Summary of Findings and Conclusions

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A complete summary of all findings and conclusions can be found in the Executive Summary attached to this Environmental Review Record. The following environmental conditions were investigated: floodplain location, wetlands, coastal management zones, historical preservation, threatened and endangered species, noise, airport clear zones, prime farm lands, aquifer protection, wild and scenic rivers, toxic chemicals and radiation, air and water quality, explosives and flammables, environmental justice, coastal zones, location in relation to flood control structures, solid waste disposal, land development, socioeconomic factors, community facilities and services, public safety, open space and recreation, transportation, and state and local statutes. Please refer to the Executive Summary referencing how significant environmental conditions apply to the project.

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## Summary of Environmental Conditions

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A complete summary of environmental conditions can be found in the Executive Summary attached to this Environmental Review Record (specifically within the Summary of Findings and Conclusions). Environmental Conditions and Other Considerations include chemical/physical hazards associated with the existing structures and features, potential impacts to water quality, potential impacts to air quality, potential for elevated lead concentrations in surface soils, properties located near potential releases of toxic sources, and properties located within the Louisiana Coastal Management Zone.

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# Environmental Assessment Checklist

## **Alternatives:**

Determine and describe possible alternatives to the proposed project, including the 'no action' alternative. The feasibility of each alternative and the reasons why each should be adopted or rejected should be discussed sufficiently to indicate that an adequate consideration of each alternative has occurred.

Please see the attached document "Alternatives and Cumulative Impact Analysis"

## **Summary of Existing Conditions and Future Trends:**

A complete summary of the Existing Conditions and Future Trends can be found within the Executive Summary attached to this Environmental Review Record.

Additionally, an Alternatives and Cumulative Impacts Analysis was performed and can be found attached to this Environmental Review Record.

## **Additional Studies Performed (Attach Study or Summary):**

An 8 Step Process was performed in accordance with 24 CFR Part 55 and Part 58.5 and can be found attached to this Environmental Review Record.

## **Mitigation Measures Needed:**

A summary of Mitigation Measures needed can be found in the Executive Summary attached to this Environmental Review Record.

# Environmental Assessment Checklist

## Finding of No Significant Impact

1. Is project in compliance with applicable laws and regulations? Yes No
2. Is an EIS required? Yes No
3. Finding of No Significant Impact (FONSI) can be made. Project will not significantly affect the quality of the human environment. Yes No

Prepared By: Michael Woodbury

Title: Senior Manager, ENVIRON

Date: April, 2012

Reviewed By: Weslana Gray

Title: Environmental Review Analyst

Date: 4-17-12

*Weslana Gray*  
4/17/12

**Alternatives and Cumulative Impact Analysis:  
Environmental Assessment of the Di Benedetto Playground Project  
New Orleans, Louisiana**

An alternatives analysis has been completed for this project in accordance with 24 CFR 58.40(e). The alternatives analysis for floodplain and wetland impacts has been provided within the Floodplain/Wetland Management 8-Step Process and the Final Floodplain Notice attached to this Environmental Review Record. The analysis considered the cumulative impact of the activities considered by this action. The specific alternatives considered as part of the 8-Step review included:

1. Relocation of the project
2. Finding construction alternatives and/or alternative methods
3. Taking "No Action"

Due to the fact that flooding is the primary environmental factor of concern, the three proposed alternatives to the project are considered appropriate with respect to a wider consideration of alternatives to meet the goals of the overall project. These alternatives are further evaluated below for other environmental factors.

**Land Development**

The Di Benedetto Playground Project is in line with the City of New Orleans' Master Plan, and its core goals of "enhancing neighborhood livability and character" and "creat[ing] new centers for community life." The project is consistent with past land use, as the site is currently in use as a playground and park area. The improved playground will be beneficial to residents as an open-space park with numerous and varied amenities for outdoor use and recreation.

Alternative 1, relocating the playground, would require the acquisition or change of land use in the immediate vicinity in order to service the New Orleans East neighborhood, which is urban and built-up, and may necessitate structural demolition to create a park and playground area. This could impact current zoning ordinances by requiring land-use changes from residential or commercial use to green space, and would not be consistent with current development. Land acquisition of the size needed for a similar sized park would be cost-prohibitive given the constraints of this grant and would not meet project goals of rehabilitating an existing public park and playground.

Alternative 2, construction alternatives, could involve the demolition of all existing structures and elements and complete re-grading of the entire Di Benedetto Playground and Park with the subsequent redesign and rebuilding of the park. This would allow the land use to remain consistent, while enhancing outdoor and green space elements within the neighborhood. However, structural elements that possess value currently exist at the park, and the improvement and enhancement of these features was determined to be a significantly more cost effective way to improve land development features within the area. Utilization of existing infrastructure and structures as part of this project while integrating enhancement features was determined to be the fiscally responsible decision in terms of land development, given that the demolition and

redevelopment of the basketball court and restroom facilities was not determined to be a necessity.

Alternative 3, taking no action, would neither likely benefit nor negatively impact the surrounding community, as the playground would remain in its current state. However, improved park amenities would have a positive effect on the park's usability and surrounding land values. Therefore, from a land development standpoint, in order to utilize the space effectively and realize the potential value of the property, improvements should be undertaken for the Di Benedetto Playground.

### **Noise**

The Di Benedetto Playground Project, as proposed, will slightly increase daytime noise to nearby residents and any park users during grading and construction. However, such temporary improvement construction activities are exempt from noise attenuation measures per HUD noise standards. Ambient noise for surrounding residents will not increase to a significant degree after the proposed activities are enacted, and noise levels are not expected to exceed pre-storm levels in the neighborhood.

The majority of the New Orleans East neighborhood is within noise buffer zones for either roadway noise and railway noise. As such, the relocation of the park would not derive any significant benefit to users of the park by limiting noise exposure to park users. Alternative 1, relocation of the project, could actually cause park users to be exposed to higher levels of ambient noise, dependent upon the new project location – currently the park lies outside of noise buffers for major roadways. If the park were to be relocated while still servicing the New Orleans East neighborhood, such a strategy would likely result in a location in closer proximity to roadway noise, and the location would likely not be outside of the railway noise corridor.

Alternative 2, construction alternatives to serve the project, could involve the construction of a perimeter noise attenuation fence surrounding the park location. Such a feature may reduce noise levels experienced by both people utilizing the park as well as nearby residents. However, the park is located within a residential area and is an existing feature within the community. Passive and active recreation activities are not expected to generate significantly higher noise levels than those experienced by residents and park users prior to Hurricane Katrina. These considerations, as well as the consideration of costs, resulted in the determination the exterior fencing as proposed was the appropriate approach.

Alternative 3, taking no action, would not result in differences in current noise levels as no construction would be enacted and there would be no change in playground utilization from the current levels. However, the continued degradation and under-utilization of this community resource would not be beneficial to anyone.

### **Environmental Design, Historic Values, and Urban Impact**

As proposed, the Di Benedetto Playground Project will not impact any historic properties or districts. The design and construction have specifically intended to be consistent with the current environment; the proposed improvements are generally consistent with the pre-existing park elements. There will be a positive impact on the area as the Di Benedetto Playground Project will

generate upgraded amenities for neighborhood residents through provision of improved recreation space in a pre-existing park location.

Alternative 1, relocation of the project, would not be beneficial regarding environmental design, historic values, and urban impact. Should the project be relocated, the new location could likely be within an area that includes historic structures or resources that may be required to be demolished or otherwise disturbed to facilitate the construction of a new park. Relocation of the park to a location that still services the residents of the New Orleans East neighborhood could generate impacts to historic resources and alter the environmental design of the area. As such, the utilization of the existing park location was determined to be the best decision in terms of environmental design, historic values, and urban impact.

Alternative 2, construction alternatives to serve the project, could involve demolition and grading of the entire site and development as green space absent of structures and active recreation elements (such as the playground and basketball court). A change in the site's environmental design could include the planting of trees, inclusion of park benches, and open field areas for non-specific uses. Such an approach may generate less in terms of construction costs, but would not be in line with the environmental design or historic use of the site. The removal of ball fields and all other amenities at this location could generate a negative urban impact, given that the community has used this property for such activities in the past. As such, completely altering the environmental design of the site was found likely to generate an urban impact to nearby residents and users of the park by changing what the location has historically been utilized as (an outdoor active recreational space).

Alternative 3, taking no action, would not improve neighborhood character and livability in a positive way. Deterioration of the park would likely continue to result from taking no action, and therefore would not be beneficial in terms of the neighborhood's environmental design or historic character. The renovation and enhancement of the majority of existing features for community use was found to be the appropriate action in terms of environmental design, historic use, and urban impact.

### **Socioeconomic**

As proposed, the Di Benedetto Playground Project will not result in the displacement of any citizens or groups that were present in the area prior to Hurricane Katrina. The park improvements are not anticipated to cause any negative demographic changes and will provide adequate and updated recreation facilities for a low/moderate income community heavily impacted by the storm. The completion of the proposed action would facilitate and encourage resettlement of area residences as community facilities improve.

Alternative 1, relocation of the project, would provide updated recreation facilities for low/moderate income families in another location within the New Orleans East area. However, this action may require the acquisition of residential and/or commercial property within the New Orleans East neighborhood for development as park space. Such actions would likely cause displacement of low to moderate income businesses and/or families, as the majority of space within the neighborhood is currently developed. These actions would likely cause socioeconomic

or demographic changes as businesses and/or residents would be forced to move from their existing locations to facilitate the construction of a new park space.

The second alternative considered alternative methods to complete the proposed action. Such an alternative considered increasing the benefits to the predominantly low to moderate income community by providing more elaborate organized recreation elements at the park. An expansion and redevelopment of the park to allow for multiple fields and sports could be completed as part of the project, doubling or tripling the current capacity for organized sports. However, redesigning the park to allow for more sports fields would generate additional project costs, while such features would likely only be used during special organized activities at the park (such as baseball games) and would remain underutilized on a day-to-day basis. It is not likely that the project budget would allow for significant additional costs to create such onsite features that would be inconsistently utilized.

Alternative 3, taking no action, would not offer any increased value to the community as the area would not receive the socioeconomic benefit of an improved park and outdoor recreation space.

### **Community Facilities, Services, and Public Safety**

The Di Benedetto Playground is an improvements project with the key intent to improve public facilities and encourage community usage of local park infrastructure. Infrastructure is currently in place to support the park, and as the community grows the park will act as a public facility and continue to serve recreational needs.

Alternative 1, relocating the park, could be beneficial as it would create a new public facility within the New Orleans East neighborhood and encourage community growth. However, infrastructure may not be in place to service the new park location, and additional planning and design would be required to install necessary infrastructure at the chosen location, which would incur increased project costs. Acquisition of an appropriate land source may be cost prohibitive and budgetary constraints may not allow for acquisition and construction of a full park and playground area. Other constraints regarding land use, noise, and socioeconomic concerns relative to the park's relocation are also discussed above. As such, relocating the park was not a viable option in terms of providing optimal community facilities and services to the neighborhood.

Alternative 2 included the consideration of the significant expansion of the existing park elements to provide additional community facility space and services to area residents within the Di Benedetto Playground boundaries. Such expansion could involve the development of additional concessions and multiple restrooms facilities at the site, among other improvements. However, by utilizing park space for the construction of additional structural elements, project cost would increase. Project budget would not allow for the addition of such significant community facility features, and it was determined that the redevelopment and enhancement of the site as proposed was the fiscally responsible option.

Alternative 3, taking no action, would not generate any benefit to community facilities and services as the site would remain underutilized and continue to deteriorate.

### **Open Space and Recreation**

As proposed, the Di Benedetto Playground Project will have a major positive impact on existing open space and recreation by improving a currently existing recreation space. The area is currently in use, but many park elements are in severe disrepair, and the park and playground are in need of renovation and enhancement. This project will improve and add to the existing park, creating a fully renovated and usable recreation space with numerous recreation options.

Alternative 1, the moving of project location to a different site, would still create a usable public park, which may be of overall benefit to the City of New Orleans and the residents of the New Orleans East neighborhood. However, moving the project to another location would result in the continued degradation of the Di Benedetto Playground and Park and continued underutilization of this community resource. Thereby, moving the project is not acceptable in regards to greenspace and recreation, as existing greenspace should be rehabilitated for use before new greenspace is created elsewhere in the city.

Alternative 2, construction alternatives to serve the project, could involve demolition and grading of the entire site and development as green space absent of structures and active recreation elements (as discussed above). A change in the site's utilization of space could include the planting of trees, inclusion of park benches, and open field areas for non-specific uses. Such an approach may generate less in terms of construction costs, but would not be in line with the past active recreational use of the site. The community utilized the park facility for recreation activities associated with the onsite baseball fields, basketball court, and playground prior to the storm, and the removal of all recreational features and change in use of the site would not be beneficial in terms of available city recreation amenities.

By taking no action, the city would be preventing the redevelopment of usable greenspace and recreation space available to the public, while allowing the deterioration of an existing park. The Di Benedetto Playground Project intends to enhance recreation space that already exists. The alternatives considered were found to cause adverse effects to the city's open space/recreation in comparison to the proposed action, and are therefore unacceptable.

### **Transportation**

The Di Benedetto Playground Project will not cause any increased demand on transportation resources in the area. The park is serviced by the New Orleans Regional Transit Authority, allowing low to moderate income families to easily commute to the location. This helps facilitate public access to the park and allows for increased use.

In regards to moving the site to a different location, the new site could potentially result in greater transportation impacts to the community. As large tracts of land the size necessary for a park are not readily available in Orleans Parish, the area might be outside of RTA bounds and inaccessible to all but those who own cars. Alternatives proposed to minimize impacts to transportation included the removal of sporting fields from the project scope. By eliminating such space, large crowds gathering for sporting events and subsequently generating additional traffic would not occur. However, due to the overall nature of the park as a sport recreation venue, the action as proposed was determined to be the most beneficial. Taking no action would not impact transportation patterns in the surrounding area. Thus it was found that except for

taking no action, previously determined to be unacceptable, the proposed plan for the Di Benedetto Playground Project is the best option for efficient transportation in the area.

**Natural Features and Air Quality**

Improving the park, as proposed, is not anticipated to impact the site or the area's natural features or air quality, providing state and local regulations are adhered to during construction as well as during transport and deposition of construction waste material.

The cumulative effects of the project as proposed are determined to be beneficial for all the affected communities and the City of New Orleans. The alternatives evaluated under this assessment could potentially result in greater environmental impact than the proposed action, and will offer no greater benefit to the communities and the environment in nearly all the impact categories considered. For this reason, the alternative activities are rejected and the proposed plan is selected as the final action.

**Appendix B**  
**Eight-Step Decision Making Process**

**CITY OF NEW ORLEANS  
Di BENEDETTO PLAYGROUND  
ALTERNATE PROJECT**

**Executive Order 11988 – Floodplain Management  
Eight-Step Decision Making Process [SEA]**

Executive Order 11988 (Floodplain Management) requires federal Agencies “to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of the floodplain and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” FEMA’s implementing regulations are at 44 CFR Part 9, which includes an Eight Step decision making process for compliance with this part.

This Eight Step Process is applied to the proposed City of New Orleans, Di Benedetto Playground Improvements. The current and proposed project areas are located within the 500-year floodplain, areas protected by levees from the 1% annual chance (100-year) flood. The steps in this decision making process are as follows:

**Step 1: Determine if the Proposed Action is Located in the Base Floodplain**

Where released and available, the 2012 Revised Preliminary DFIRMS are viewed as the best available flood risk data for FEMA’s own grant programs in its implementation of E.O. 11988; however, no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program (NFIP) (Miller 2011). Orleans Parish enrolled in the NFIP as of 08/03/1970. Orleans Parish Advisory Base Flood Elevation Maps (ABFEs) were issued June 2006 (FEMA, 2006) and are currently adopted by the Orleans Parish NFIP community for floodplain management purposes. Per ABFE Panel OR-LA-EE35, the site is located in ABFE Elevation -4 ft. or 3 ft. above the Highest Existing Adjacent Grade (HEAG). Per Revised Preliminary DFIRM Panel Number 22071C0139F, dated 11/9/2012 (Figure 6), the site is located within a Shaded Zone X, an area of 0.2% annual chance (500-year) flood, protected by levees from the 1% annual chance (100-year) flood.

**Step 2: Early Public Notice (Preliminary Notice)**

In general, FEMA has an obligation to provide adequate information to enable the public to have impact on the decision outcome for all action having the potential to affect, adversely, or be affected by floodplains or wetlands that it proposes. FEMA shall provide the public with adequate information and opportunity for review and comment at the earliest possible time and throughout the decision-making process; and upon completion of this process, provide the public with an accounting of its final decision (see §9.12). A Cumulative Initial Public Notice was published statewide 11/07/2005 – 11/09/2005. Additional Public Notice shall be provided as required by the Executive Order.

**Step 3: Identify and Evaluate Alternatives to Locating in the Base Floodplain.**

The current and proposed playground is located within the 500-year floodplain. The alternative of “no action” would have no determinable impact to the floodplain; it is, however, not practicable as it would have negative impacts to community, leaving the community without required services. The alternative of relocation outside the 500-year floodplain is also not practicable and was rejected due to the lack of available open space and excessive cost of

relocating the playground and athletic facilities. The alternative of restoring the playground equipment facilities to their pre-disaster condition was rejected as it foregoes a feasible option to improve and mitigate recreational services that were underutilized prior to the disaster. The chosen location and redesign is highly practicable when considering natural, social, economic, and legal constraints, mitigation costs and environmental impacts.

#### **Step 4: Identify Impacts of Proposed Action Associated With Occupancy or Modification of the Floodplain.**

The risk for flood damage to facility structures will be mitigated in accordance with the local floodplain management ordinance. The site is in an urban, previously developed location, and the proposed facility will closely match the prior capacity and footprint of the pre-existing facility, with limited change in site configuration. Impacts to the nature of the floodplain itself have been determined to be negligible. The proposed improvements would therefore not place within the 500-year floodplain structures which would impede or redirect flood flows. The facility will not likely have measurable effect on floodplain functions and values.

#### **Step 5: Design or Modify the Proposed Action to Minimize Threats to Life and Property and Preserve its Natural and Beneficial Floodplain Values**

New construction must be compliant with current codes and standards. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s). Minimization standards are to be addressed at this stage, as local ordinance requires the most stringent standards. All coordination with the local floodplain administrator, and applicant permit compliance, should be documented and copies provided to the LA GOHSEP and FEMA for inclusion in the permanent project files. As per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.

#### **Step 6: Re-evaluate the Proposed Action**

The proposed project is not likely to have an adverse effect on the floodplain. The proposed project is not likely to aggravate the current flood hazard because the facility is not likely to impede or redirect flood flows. The project is not likely to disrupt floodplain values because it is not likely to change water levels in the floodplain, and will not reduce habitat in the floodplain. Therefore, it is still practicable to construct the proposed project within the floodplain.

Alternatives consisting of locating the project outside the floodplain or taking “no action” are not practicable.

#### **Step 7: Findings and Public Explanation (Final Notification)**

A National Environmental Policy Act (NEPA) Supplemental Environmental Assessment (SEA) has been drafted to determine if the proposed reconstructed playground facility will have the potential for significant adverse effects on the quality of the human and natural environment. The results are being used to make a decision whether to initiate preparation of an Environmental Impact Statement (EIS) or to prepare a Finding of No Significant Impact (FONSI). The availability of the Draft SEA and this 8-step for public review will be announced in the local newspaper. A 15 day comment period will follow the Public Notice publication.

**Step 8: Implement the Action**

The proposed Di Benedetto Playground repair and reconstruction project will be accomplished in accordance with applicable floodplain development requirements.

**Appendix C**  
**Public Notice**

**FEMA'S PUBLIC NOTICE OF AVAILABILITY FOR  
CNO, Di BENEDETTO PLAYGROUND,  
ORLEANS PARISH, LOUISIANA,  
DRAFT SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT AND  
DRAFT FINDING OF NO SIGNIFICANT IMPACT**

Interested parties are hereby notified that the Federal Emergency Management Agency (FEMA) has prepared a Draft Supplemental Environmental Assessment (DSEA) for the proposed repair and reconstruction of the City of New Orleans (CNO), Di Benedetto Playground at 4700 Papania Street in New Orleans, Louisiana, 70127, Orleans Parish, Latitude 30.02439, Longitude -89.95973.

The proposed action would repair and reconstruct playground structures at the same general location as the storm-damaged facility, but in a different configuration and with improvements. The existing concessions building and playground equipment would be demolished. A new, larger, playground area with new playground equipment would be constructed at the existing site in a different footprint. A new covered pavilion would be constructed. The basketball court would be repaired and resurfaced; and new backboards, rims and goals would be installed. Lighting and other safety equipment and features, a concrete slab for ADA accessible portable toilets, landscaping, fencing, picnic tables, benches, bike racks and sidewalks, would be repaired, replaced, improved or newly installed.

CNO seeks federal grant funds for this action eligible under a Presidential disaster declaration, signed on August 29, 2005 (FEMA-1603-DR-LA). Per the National Environmental Policy Act (42 U.S.C. 4371 *et seq.*), and associated environmental statutes, a DSEA has been prepared to evaluate the proposed action's potential impacts on the human and natural environment. This DSEA summarizes the purpose and need, site selection process, alternatives to the proposed action, and potential environmental consequences associated with the proposed action.

The DSEA and draft Finding of No Significant Impact (FONSI) will be available for public review at the Orleans Parish Main Library at 219 Loyola Avenue, New Orleans, Louisiana 70112 (hours are 10:00 AM to 6:00 PM, Mon.-Thurs. and 10:00 AM to 5:00 PM Fri. & Sat.), and at the East New Orleans Branch at 5641 Read Boulevard, New Orleans, LA 70127 (hours are 10:00 AM to 7:00 PM, Mon.-Thurs. and 10:00 AM to 5:00 PM Sat.). The DEA can also be viewed and downloaded from FEMA's website: <http://www.fema.gov/media-library/search/DiBenedetto>. The public notice will run in the local newspaper, *The Times-Picayune*, on December 18, 20 and 27, 2013. The comment period will begin December 28, 2013, and end January 11, 2014 at 4 pm. Written comments on the DEA/Draft FONSI or related matters can be faxed to FEMA's Louisiana Recovery Office at (504) 762-2323; email to [FEMA-NOMA@fema.dhs.gov](mailto:FEMA-NOMA@fema.dhs.gov); or mailed to FEMA Louisiana Recovery Office, EHP – CNO, Di Benedetto Playground SEA, 1 Seine Court, New Orleans, Louisiana 70114.

Based on FEMA's findings to date, no significant adverse environmental effects are anticipated. However, if FEMA receives new information that results in a change from no adverse effects then FEMA would revise the findings and issue a second public notice allowing time for additional comments. If no substantive comments are received, the DSEA and associated draft FONSI will become final and this initial Public Notice will also serve as the final Public Notice. Substantive comments will be addressed as appropriate in the final documents.

**Appendix D**  
**Draft FONSI**



# FEMA

U.S. Department of Homeland Security  
Louisiana Recovery Office  
1 Seine Court  
New Orleans, Louisiana 70114

**DRAFT FINDING OF NO SIGNIFICANT IMPACT**  
**for**  
**CITY of NEW ORLEANS, Di BENEDETTO PLAYGROUND**  
**NEW ORLEANS, ORLEANS PARISH, LOUISIANA**  
***FEMA-1603-DR-LA***

**Background**

On August 29, 2005, high velocity winds, heavy rains and flooding generated by Hurricane Katrina caused extensive damage to the City of New Orleans (CNO), Di Benedetto Playground, a community park and playground located in New Orleans East.

The applicant, CNO, has requested Public Assistance (PA) funding from the Federal Emergency Management Agency (FEMA) under Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL-93-288, as amended, and implementing regulations at 44 CFR, Part 206, for a project that would repair and make improvements to the damaged facility. CNO has also sought Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD) for this project.

CNO contracted with Environ International Corporation (Environ) to perform an environmental review in accordance with HUD guidance regulations, and prepare an Environmental Assessment (EA) in accordance with the environmental review guidelines of the Council on Environmental Quality found at 40 Code of Federal Regulations (CFR), Part 1500, and with the use of HUD's implementing environmental review procedures, found at 24 CFR, Part 58, entitled, "Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities". The purpose of the HUD EA was to analyze the potential environmental impacts associated with the rehabilitation and improvement of Di Benedetto Playground, and to determine whether to prepare an Environmental Impact Statement (EIS) or Finding of No Significant Impact (FONSI). The proposed action is needed to improve public recreational facilities and encourage community usage of local park infrastructure. The alternatives considered were: 1) Rehabilitation and Improvement of existing park and playground structures and elements (Proposed Action); 2) Relocation of the project; 3) Construction Alternatives involving demolition of all existing structures and elements and complete redesign and rebuilding of the park and playground; and 4) No Action.

FEMA has conducted a review of HUD's Environmental Assessment, and has adopted it pursuant to the Council on Environmental Quality's Implementing Procedures for NEPA at 40 CFR § 1506.3. In addition, in accordance with 44 CFR Part 10 (FEMA's regulations to implement the National Environmental Policy Act [NEPA]), a Supplemental Environmental Assessment (SEA) was prepared by FEMA. The purpose of the SEA was to analyze the potential environmental impacts associated with the reconstruction and reconfiguration of the CNO Di Benedetto Playground facility, and to determine whether to prepare an EIS or a FONSI.

### **Proposed Action**

The proposed action would demolish the existing playground area, construct a new playground area, and install new play equipment; repair high mast lighting, other safety features, and benches; install a new basketball court and equipment; construct a dog run area; demolish and install new sidewalks, fencing, and landscaping; demolish the damaged existing concessions building; construct a new concrete slab for ADA accessible portable toilets; and construct a new covered pavilion with picnic tables. On August 22, 2013, FEMA approved demolition of the concessions building at Di Benedetto Playground.

### **Findings**

FEMA has made the following determinations from the information contained in the HUD EA and FEMA's Supplemental EA:

The proposed project will not result in any significant adverse impact to existing land use (surface water, ground water, wetlands, floodplains, and waters of the United States), coastal resources, biological resources (vegetation, fish and wildlife, state and federally-listed threatened or endangered species and critical habitats), cultural resources, air quality, noise, traffic, safety, or hazardous materials, or result in disproportionately high or adverse effects to minority or low-income populations. The proposed action is also in compliance with all relevant federal, state, and local laws, including Executive Order (EO) 11988 (Floodplain Management), EO 11990 (Protection of Wetlands), and EO 12898 (Environmental Justice). FEMA has determined that the proposed project qualifies as a major federal action that will not significantly affect the quality of the natural and human environment, nor have the potential for significant cumulative effects. As a result of this FONSI, an EIS will not be prepared (44 CFR, Part 10.9), and the proposed project as described in the attached SEA may proceed.

### **CONDITIONS**

The following conditions must be met as part of the implementation of the project. Failure to comply with these conditions may jeopardize federal funds:

- This FONSI applies only to the project area that has been specifically described and evaluated in the FEMA SEA and HUD EA. If there is a change in the scope of work or if any other areas outside the project area described in the FEMA SEA and or HUD EA will be impacted, the project must be re-evaluated for compliance with NEPA and other applicable federal, state, and local environmental and historic preservation laws, regulations and Executive Orders.
- The Applicant is required to comply with all state, federal and local laws and regulations and is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities at the proposed site in accordance with applicable local, state, and federal regulations.

- New construction must be compliant with current codes and standards. In accordance with applicable local, state, and federal regulations, the applicant is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities.
- A Storm Water General Permit must be filed with the Louisiana Department of Environmental Quality (LDEQ) prior to commencement of construction.
- A Louisiana Pollution Discharge Elimination System (LPDES) may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If required to do so by LDEQ, the Applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution prevention plan approved by LDEQ to prevent sediment and construction material transport from the project site. The Applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- The Applicant is responsible for coordinating with and obtaining any required Coastal Use Permit(s) (CUP) or other authorizations from the Louisiana Department of Natural Resources (LDNR) Office of Coastal Management's Permits and Mitigation Division prior to initiating work. The applicant must comply with all conditions of the required permits. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.
- Unusable equipment, debris and material shall be disposed of in an approved manner and location. The applicant shall handle, manage, and dispose of petroleum products, hazardous materials and/or toxic waste in accordance with all local, state and Federal agency requirements. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- If hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination should be initiated in accordance with applicable federal, state, and local regulations.
- To reduce potential short term effects to air quality from construction related activities, the contractor should use Best Management Practices (BMPs) to reduce fugitive dust generation and diesel emissions. The contractor should water down construction areas when necessary to minimize particulate matter and dust. To reduce emission criteria pollutants, fuel-burning equipment running times should be kept at a minimum and engines should be properly maintained.
- All construction activities should be conducted in a safe manner in accordance with Occupational Safety & Health Administration (OSHA) requirements.

- New construction must be compliant with current codes and standards. Per 44 C.F.R. § 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. The applicant is required to coordinate all construction activities with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities, and remain in compliance with formally adopted local floodplain ordinances. All coordination pertaining to these permit(s) should be documented and provided to the local floodplain administrator, to the Louisiana Governor's Office of Homeland Security and Emergency preparedness (LA GOHSEP), and to FEMA as part of the permanent project file. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.
- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present with the project area, 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.
- Inadvertent Discovery Clause: If during the course of work, archaeological artifacts (prehistoric or historic) 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, and others as appropriate.
- These conditions, contained in the HUD EA, shall be adhered to as a condition of this FONSI:
  - That a Storm Water General Permit must be filed with the Louisiana Department of Environmental Quality prior to construction.
  - That a certified risk assessor must conduct a Lead Hazard Screen and the subsequent Risk Assessment if necessary.

#### **COORDINATION, PUBLIC REVIEW AND COMMENT**

In preparation of the HUD EA, Environ coordinated with federal, state and local agencies, including the United States Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), U.S. Department of Agriculture, Natural Resource Conservation Service (NRCS), Louisiana Department of Wildlife and Fisheries (LDWF), Louisiana Office of Culture, Recreation, and Tourism, State Historic Preservation Officer (SHPO), Louisiana Department of Environmental Quality (LDEQ), Louisiana Department of Natural Resources (LDNR), the Orleans Levee District (OLD), New Orleans Recreation Department, the City of New Orleans Sewerage and Water Board, New Orleans Office of Community Development

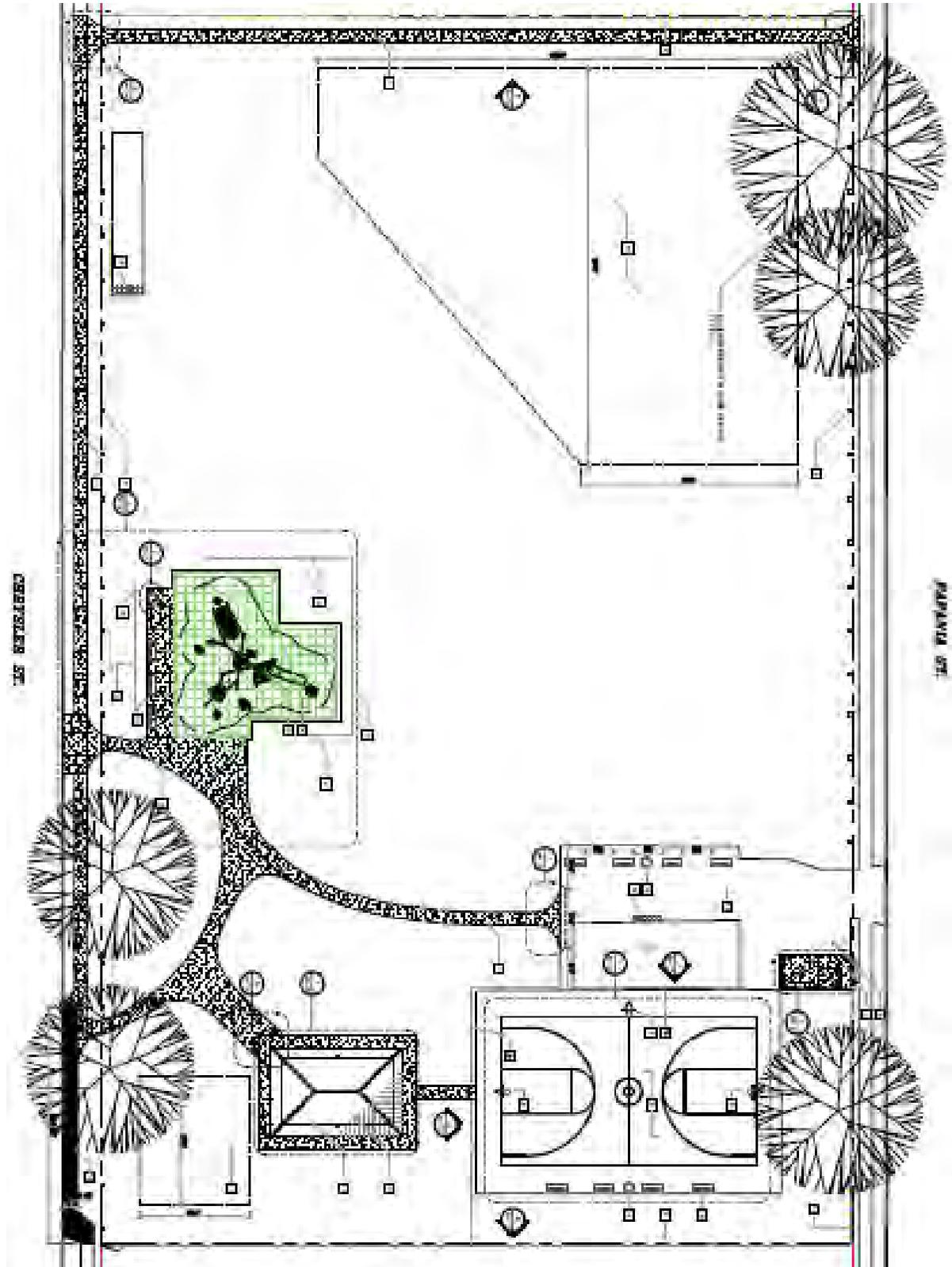


**Appendix E**  
**Design Plans**

**City of New Orleans  
Di Benedetto Playground  
Existing Site Map**



# City of New Orleans Di Benedetto Playground Proposed Site Plan





**CITY OF NEW ORLEANS**  
**DIBENEDETTO PLAYGROUND**  
 NEW ORLEANS, LOUISIANA

Revisions:

No.	Date	Description

Project No.: 1264-001

Date: APRIL 1, 2013

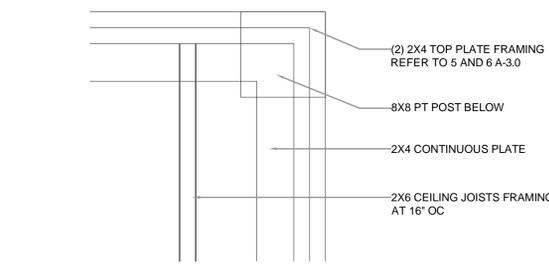
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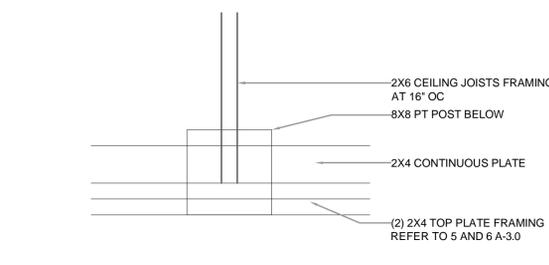
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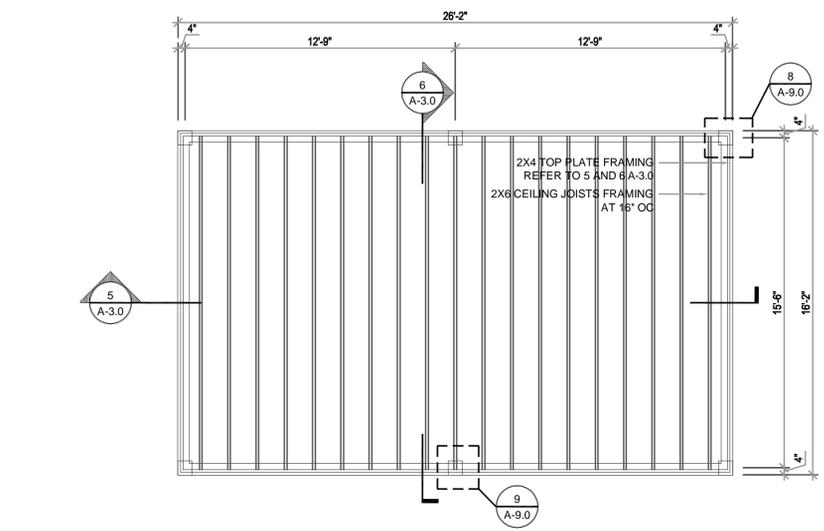
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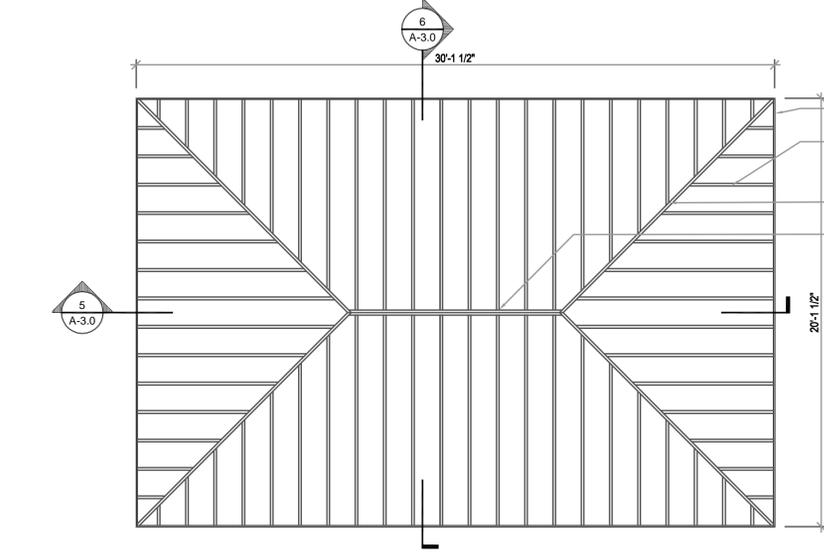
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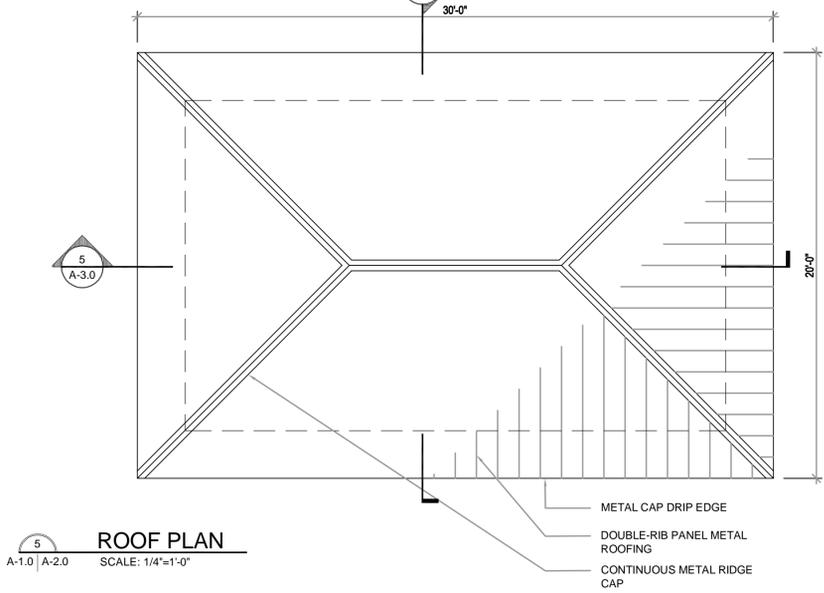
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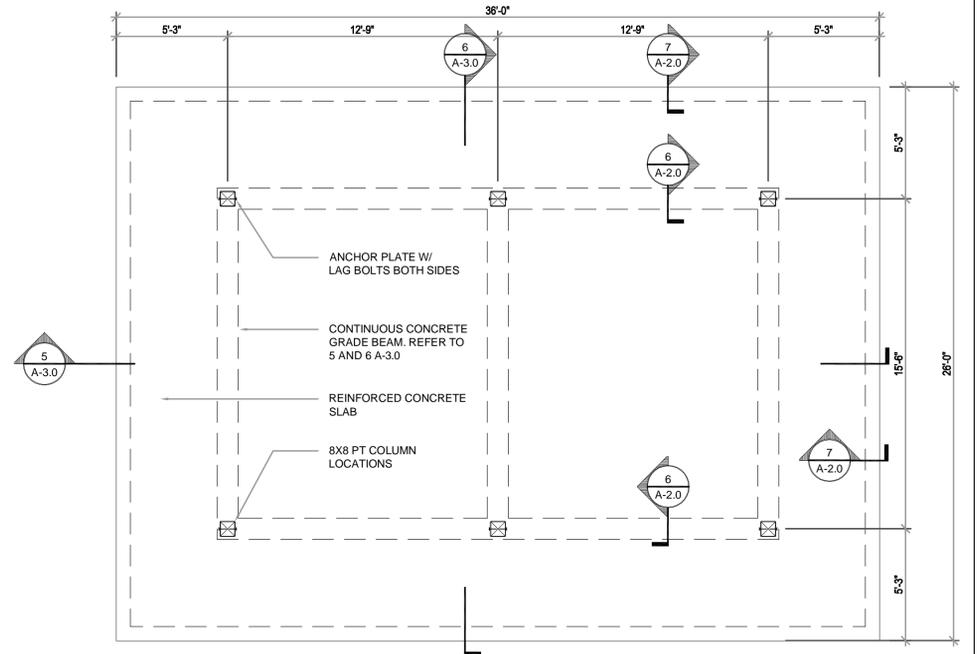
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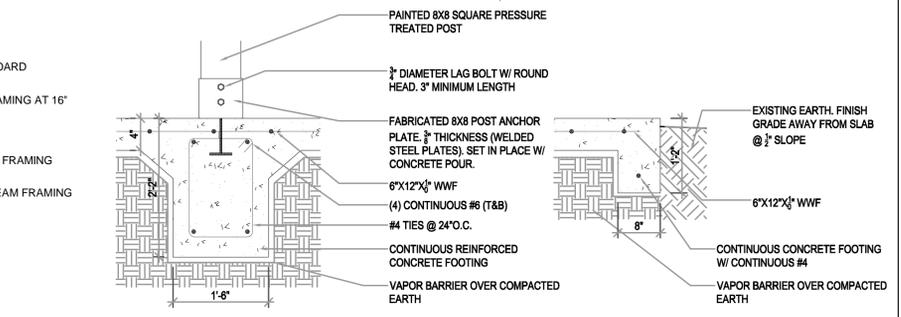
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 A-1.0 | A-2.0 SCALE: 1/4"=1'-0"



**5** **ROOF PLAN**  
 A-1.0 | A-2.0 SCALE: 1/4"=1'-0"

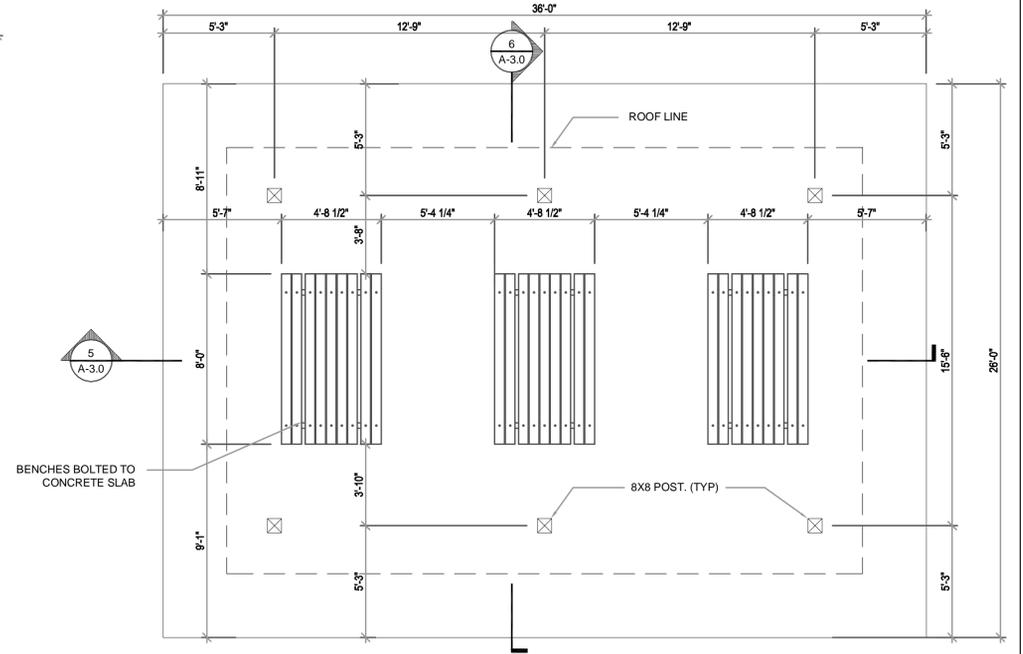


**3** **FOUNDATION PLAN**  
 A-1.0 | A-2.0 SCALE: 1/4"=1'-0"



**6** **FOUNDATION PLAN**  
 A-2.0 | A-2.0 SCALE: 3/4"=1'-0"

**7** **FOUNDATION PLAN**  
 A-2.0 | A-2.0 SCALE: 3/4"=1'-0"



**1** **FLOOR PLAN**  
 A-1.0 | A-2.0 SCALE: 1/4"=1'-0"



**CITY OF NEW ORLEANS**  
**DIBENEDETTO PLAYGROUND**  
 NEW ORLEANS, LOUISIANA

Revisions:

No.	Date	Description

Project No.: 1264-001

Date: APRIL 1, 2013

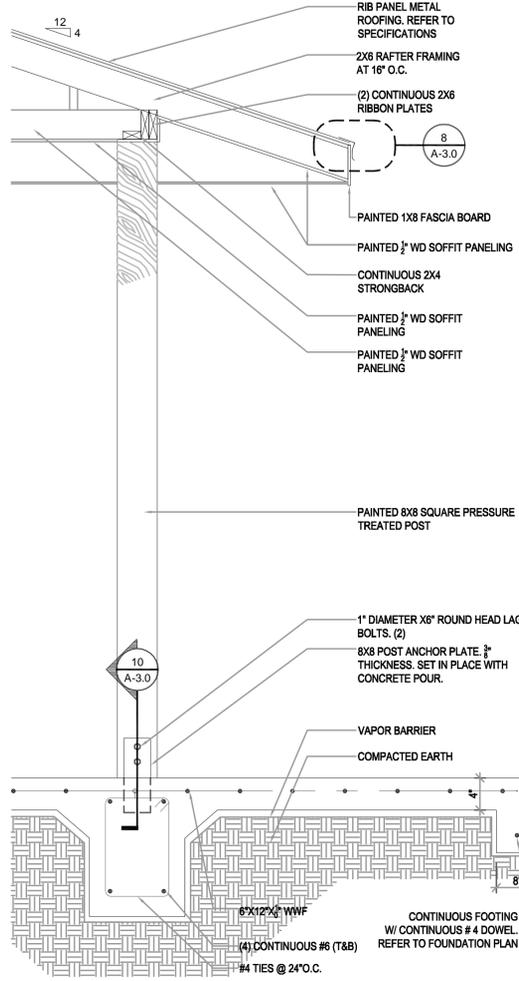
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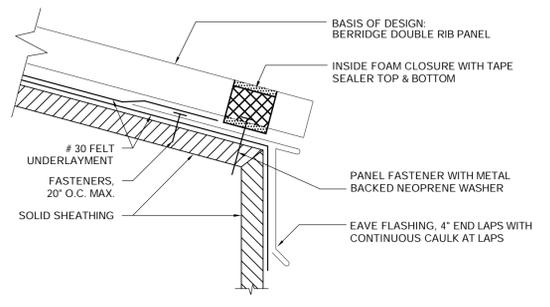
Drawing Title:

**ELEVATIONS & SECTIONS**

Drawing No. **A-3.0**

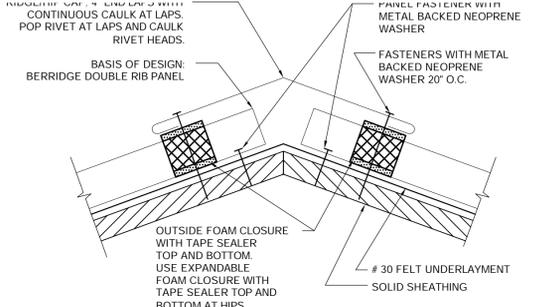


**WALL SECTION**  
 SCALE: 3/4"=1'-0"



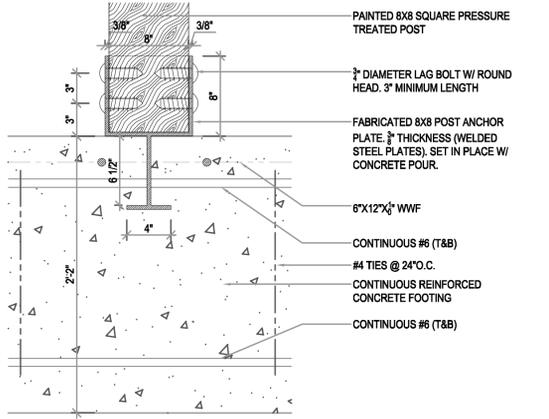
**ROOF DETAIL**  
 SCALE: 1-1/2"=1'-0"

- SOLID SHEATHING TO BE MINIMUM 1/2" PLYWOOD
- ALL FELT UNDERLAYMENT, CAULKING AND FASTENERS ARE ITEMS TO BE FURNISHED AND INSTALLED BY THE ROOFING INSTALLER AT THE DISCRETION OF THE ARCHITECT.

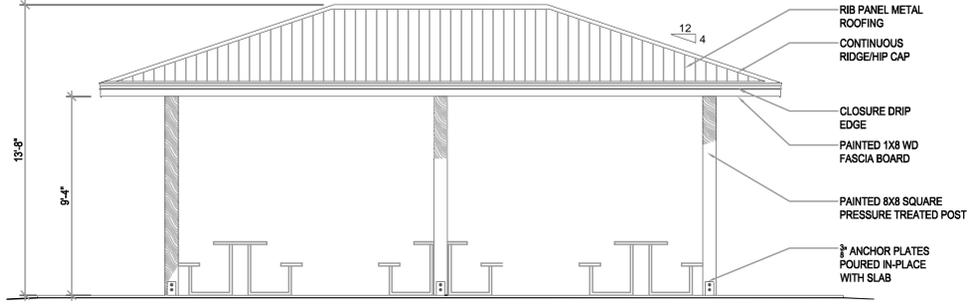


**ROOF DETAIL**  
 SCALE: 1-1/2"=1'-0"

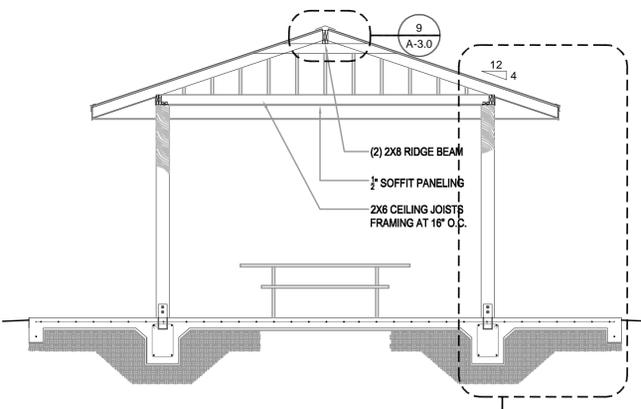
- SOLID SHEATHING MINIMUM 1/2" PLYWOOD
- ALL FELTING UNDERLAYMENT, CAULKING, AND FASTENERS, ARE ITEMS TO BE FURNISHED AND INSTALLED BY THE ROOFING INSTALLER AT THE DISCRETION OF THE ARCHITECT.



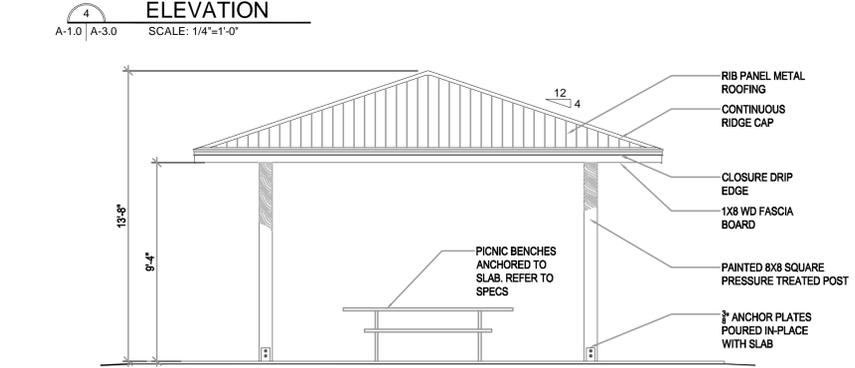
**SECTION @ POST ANCHOR**  
 SCALE: 1-1/2"=1'-0"



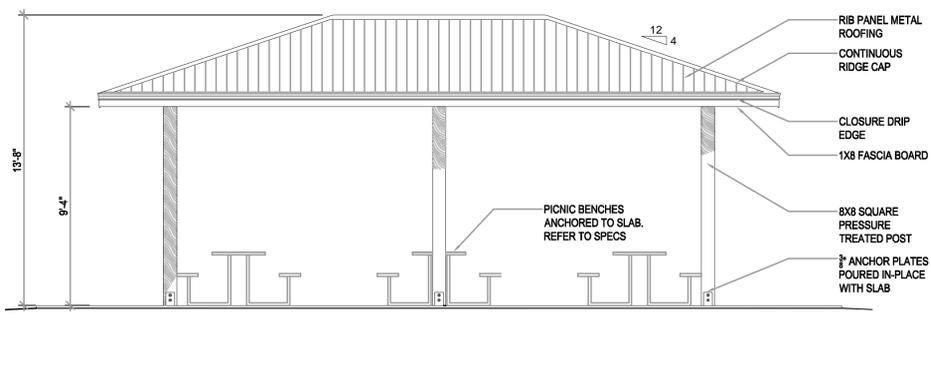
**SECTION**  
 SCALE: 1/4"=1'-0"



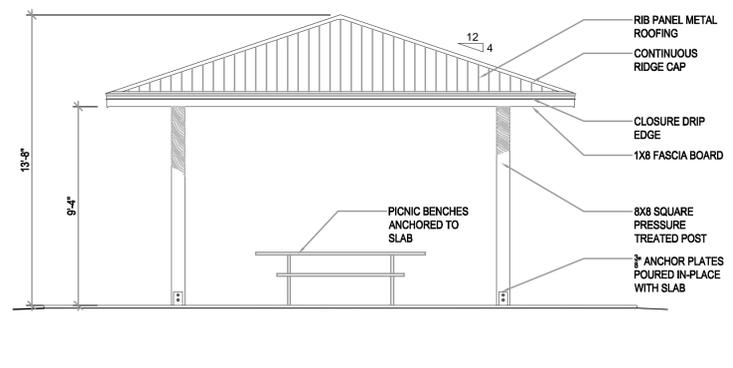
**SECTION**  
 SCALE: 1/4"=1'-0"



**ELEVATION**  
 SCALE: 1/4"=1'-0"



**ELEVATION**  
 SCALE: 1/4"=1'-0"



**ELEVATION**  
 SCALE: 1/4"=1'-0"