

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007

See 44 Code of Federal Regulation Part 10

Project Name/Number: SUNO Administration Building (ID #00301) - First Floor Repairs, PW #3296v10

Applicant Name: Southern University at New Orleans (SUNO)
Facility Planning and Control, State of Louisiana

Project Location: 6400 Press Drive, New Orleans, LA 70126
Latitude: 30.02581, Longitude: -90.04414

Project Description:

On August 29, 2005, storm surge from Hurricane Katrina caused extensive flooding to the SUNO campus. The Administration Building, built in 1959, is a three story, 46,000 square foot concrete structure on wooden pilings with a crawl space beneath the first floor slab. The building serves as administrative offices, conference rooms, and classroom space. The first floor of the building suffered extensive flooding to 4'-3" deep, while the upper floors had damage from wind, flying debris and wind driven rain. This version addresses only the flood damage to the first floor of the Administration Building. Damage to the upper floors has been captured in previous versions to this PW.

406 Hazard Mitigation - PW #3296v9 included an HMP submitted for \$309,929.00 to elevate mechanical/electric equipment from the 1st floor to the 2nd floor. This v9 HMP is being de-obligated in this version (v10) PW, and re-submitted, with changes, as HMP# 1, due to changes in the scope of work completed, that is considered part of the mitigation measures.

Therefore, this version (v10) includes three 406 Hazard Mitigation Proposals: HMP #1 is to elevate mechanical/electrical equipment from the 1st floor to the 2nd floor (revised v9 HMP); HMP#2 is to provide dry flood-proofing with a 5'-3" floodwall with passive floodgates along the perimeter of the building, and internal wet flood-proofing to 4" above floor height; and HMP#3 is for an equipment platform.

National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review (**Review Concluded**)
- Programmatic Categorical Exclusion - Category (**Review Concluded**)
- Categorical Exclusion - Category XV
 - No Extraordinary Circumstances exist.
Are project conditions required? Yes (see section V) No (**Review Concluded**)
 - Extraordinary Circumstances exist (see Section IV).
 Extraordinary Circumstances mitigated. (See Section IV comments)
Are project conditions required? Yes (see section V) No (**Review Concluded**)
- Alternative Arrangements
 - Public Involvement Plan on file (see comments below)
Are project conditions required? Yes (see section V) No (**Review Concluded**)
- Environmental Assessment
- Supplemental Environmental Assessment (Reference EA or PEA in comments)
- Environmental Impact Statement

Comments: This project meets the criteria to utilize the Alternative Arrangement Process within the National Environmental Policy Act approved by the Council on Environmental Quality, DHS, and FEMA on 3/23/2006. Based on information provided by the applicant, the scope of work for this project is included in the Alternative Arrangement Process through the National Environmental Policy Act (NEPA). The applicant has provided sufficient documentation to demonstrate a satisfactory public involvement process. Any changes to this approved scope of work will require submission to, and evaluation and approval by, the State and FEMA prior to initiation of any work, for compliance with NEPA. The applicant is required to obtain and comply with all local, State, and Federal permits and requirements. Non-compliance with the requirements noted above may jeopardize the receipt of federal funding.

Public Involvement for this project was achieved through a National Historic Preservation Act Section 106 public notice. This notice was published on the Louisiana Department of Cultural, Recreation, and Tourism website. The public was invited to comment on the undertaking for a 15 day period beginning on July 25, 2012 and ending on August 08, 2012. During this time no public comments were received.

Correspondence/Consultation/Reference:

Alternative Arrangement Process <http://www.fema.gov/new-orleans-metropolitan-area-infrastructure-projects-1>)

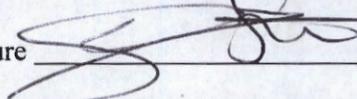
FEMA Section 106 Notices for Louisiana (<http://www.crt.state.la.us/culturalassets/fema106/>)

Project is Non-Compliant (see attached documentation justifying selection).

Reviewer and Approvals

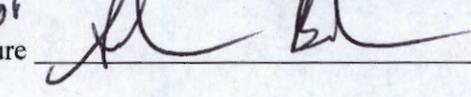
FEMA Environmental Reviewer:

Name: Kristiaan Stuart, Environmental Protection Specialist, FEMA LRO

Signature  Date 10/25/2012

FEMA Environmental Liaison Officer or Delegated Approving Official:

Name: Tiffany Spann-Winfield, Deputy Environmental Liaison Officer, FEMA LRO

Signature  Date 10/25/12

I. Compliance Review for Environmental Laws (other than NEPA)

A. National Historic Preservation Act (NHPA)

- Not type of activity with potential to affect historic structures or archaeological resources (**Review Concluded**)
- Activity meets Programmatic Agreement. Activity meets Programmatic Allowance (date of agreement and allowance number in comments) - **Review Concluded**
- Applicable executed Programmatic Agreement (August 17, 2009 as amended on July 22, 2011). See project review below for historic structures and archaeological resources.
- Other Programmatic Agreement dated _____ applies

HISTORIC BUILDINGS AND STRUCTURES

- No historic properties that are listed or 50 years or older in project area. (**Review Concluded**)
- Building or structure 50 years or older or listed on the National Register in the project area and activity not exempt from review.
 - Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
 - Are project conditions required? Yes (see Section V) No (**Review Concluded**)
 - Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
 - Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
 - No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
 - Are project conditions required? Yes (see Section V) No (**Review Concluded**)
 - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
 - Resolution of Adverse Effect completed (MOA on file)
 - Are project conditions required Yes (see Section V) No (**Review Concluded**)

ARCHEOLOGICAL RESOURCES

- Project affects only previously disturbed ground – **Review Concluded**
- Project affects undisturbed ground or grounds associated with a historic structure
 - Project area has no potential for presence of archeological resources
 - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file) (**Review Concluded**)
 - Project area has potential for presence of archeological resources

- Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)
Are project conditions required Yes (see Section V) No (**Review Concluded**)
- Determination of historic properties affected
 - NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file)
Are project conditions required Yes (see Section V) No (**Review Concluded**)
 - NR eligible resources present in project area (FEMA finding/SHPO/THPO concurrence on file)
 - No Adverse Effect Determination (FEMA finding/ SHPO/THPO concurrence on file)
Are project conditions required? Yes (see Section V) No (**Review Concluded**)
 - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
 - Resolution of Adverse Effect completed (MOA on file)
Are project conditions required? Yes (see Section V) No (**Review Concluded**)

Comments: 10/22/2012 - A review of Version 10 was conducted in accordance with FEMA's Programmatic Agreement dated August 17, 2009 and amended on July 22, 2011 (2009 Statewide PA as amended). FEMA determined that the SUNO Administration Building was eligible for listing in the National Register of Historic Places (NRHP) for its significance under National Register Evaluation Criterion A. In accordance with Stipulation IX of the 2009 Statewide PA as amended and 36 CFR § 800.5, FEMA has determined the Undertaking will adversely affect historic properties. FEMA consulted under 36 CFR §800.6 to develop a Memorandum of Agreement (MOA) to avoid, minimize, and mitigate the adverse effects of this Undertaking. The MOA for this undertaking was executed on October 19, 2012. To remain in compliance with Section 106, the NHPA stipulations and conditions detailed within the MOA and set forth in this PW must be carried out. Any change to the approved scope of work will require reevaluation under Section 106. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.

Correspondence/Consultation/References: C. Dluzak, Lead HP Specialist

B. Endangered Species Act

- No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action. (**Review Concluded**)
- Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.
 - No effect to species or designated critical habitat. (See comments for justification)
Are project conditions required? Yes (see Section V) No (**Review Concluded**)
 - May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) (**Review Concluded**)
Are project conditions required? Yes (see Section V) No (**Review Concluded**)
 - Likely to adversely affect species or designated critical habitat
 - Formal consultation concluded. (Biological Assessment and Biological Opinion on file)
Are project conditions required? YES (see Section V) NO (**Review Concluded**)

Comments: Habitat for federal or state listed species does not occur in or near this site, thus this project will have no effect to threatened or endangered species.

Correspondence/Consultation/References: USFWS IPac Portal

C. Coastal Barrier Resources Act

- Project is not on or connected to CBRA Unit or Otherwise Protected Area (**Review Concluded**).
- Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)
 - Proposed action an exception under Section 3505.a.6 (**Review Concluded**)
 - Proposed action not excepted under Section 3505.a.6.
Are project conditions required? YES (see Section V) NO (**Review Concluded**)

Comments: Project is not within a CBRA zone.
Correspondence/Consultation/References: Louisiana Coastal Barrier Resource System Maps referenced 10/24/12.

D. Clean Water Act

- Project would not affect any waters of the U.S. **(Review Concluded)**
- Project would affect waters, including wetlands, of the U.S.
 - Project exempted as in kind replacement or other exemption. **(Review Concluded)**
 - Project requires Section 404/401 of Clean Water Act or Section 9/10 of Rivers and Harbors Act permit, including qualification under Nationwide Permits.
Are project conditions required? YES (see Section V) NO **(Review Concluded)**
- Project would affect waters of the U.S. by discharging to a surface water body.

Comments: No affected jurisdictional waters of the U.S. in or near the project area.
Correspondence/Consultation/References: National Wetlands Inventory Map

E. Coastal Zone Management Act

- Project is not located in a coastal zone area and does not affect a coastal zone area **(Review concluded)**
- Project is located in a coastal zone area and/or affects the coastal zone
 - State administering agency does not require consistency review. **(Review Concluded)**
 - State administering agency requires consistency review.
Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: This project is located within the Louisiana Coastal Management Zone. Projects within the coastal zone may require a coastal use permit or other authorization from DNR. Prior to initiation of work, projects must be coordinated by contacting LA DNR at 1-800-267-4019. If a permit or other authorization is required, applicant shall comply with all conditions of the permit.
Correspondence/Consultation/References: Louisiana Coastal Zone Map, USACOE

F. Fish and Wildlife Coordination Act

- Project does not affect, control, or modify a waterway/body of water. **(Review Concluded)**
- Project affects, controls, or modifies a waterway/body of water.
 - Coordination with USFWS conducted
 - No Recommendations offered by USFWS. **(Review Concluded)**
 - Recommendations provided by USFWS.
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: Project will not affect, control or modify a waterway or body of water.
Correspondence/Consultation/References: Fish and Wildlife Coordination Act (16 U.S.C. 661-667e)

G. Clean Air Act

- Project will not result in permanent air emissions. **(Review Concluded)**
- Project is located in an attainment area. **(Review Concluded)**
- Project is located in a non-attainment area.
 - Coordination required with applicable state administering agency.
Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: Applicant should ensure that best management practices are taken. Care should be taken to minimize the generation of fugitive dust during construction activities. The proposed project includes activities that would produce a minor, temporary, and localized impact on air quality from vehicle emissions and fugitive dust particles. No long-term air quality impact is anticipated.
Correspondence/Consultation/References: USEPA Maps Depicting Nonattainment Areas Pursuant to Section 107 of the Clean Air Act

H. Farmland Protection Policy Act

- Project will not affect undisturbed ground. **(Review Concluded)**
- Project has a zoning classification that is other than agricultural or is in an urbanized area. **(Review Concluded)**
- Project does not affect designated prime or unique farmland. **(Review Concluded)**
- Project causes unnecessary or irreversible conversion of designated prime or unique farmland.
 - Coordination with Natural Resources Conservation Service required.
 - Farmland Conversion Impact Rating, Form AD-1006, completed.
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: The site is located within an existing urban and developed area.
Correspondence/Consultation/References: Farmland Protection Policy Act of 1981 (Public Law 97-98, December 22, 1981)

I. Migratory Bird Treaty Act

- Project not located within a flyway zone **(Review Concluded)**
- Project located within a flyway zone.
 - Project does not have potential to take migratory birds **(Review Concluded)**
 - Are project conditions required? Yes (see section V) No **(Review Concluded)**
 - Project has potential to take migratory birds.
 - Contact made with USFWS
 - Are project conditions required? YES (see section V) NO **(Review Concluded)**

Comments: The site is an existing disturbed area with little value to migratory birds and would not be included in the USFWS migratory bird management program.
Correspondence/Consultation/References: USFWS guidance letter dated September 27, 2005.

J. Magnuson-Stevens Fishery Conservation and Management Act

- Project not located in or near Essential Fish Habitat **(Review Concluded)**
- Project located in or near Essential Fish Habitat.
 - Project does not adversely affect Essential Fish Habitat **(Review Concluded)**
 - Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)
 - NOAA Fisheries provided no recommendation(s) **(Review Concluded)**
 - Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - NOAA Fisheries provided recommendation(s)
 - Written reply to NOAA Fisheries recommendations completed.
 - Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: Project is not located in or near any surface waters with the potential to affect EFH species.
Correspondence/Consultation/References: NOAA/NMFS Essential Fish Habitat Mapper v3.0

K. Wild and Scenic Rivers Act

- Project is not along and does not affect Wild or Scenic River (WSR) - **(Review Concluded)**
- Project is along or affects WSR
 - Project adversely affects WSR as determined by NPS/USFS. **FEMA cannot fund the action.** (NPS/USFS/USFWS/BLM consultation on file) **(Review Concluded)**
 - Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)
 - Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: Project is not along and does not affect a Wild or Scenic River.
Correspondence/Consultation/References: National Wild and Scenic Rivers System

II. Compliance Review for Executive Orders

A. E.O. 11988 - Floodplains

- No Effect on Floodplains/Flood levels and project outside Floodplain - **(Review Concluded)**
- Located in Floodplain or Effects on Floodplains/Flood levels
 - No adverse effect on floodplain and not adversely affected by the floodplain. **(Review Concluded)**.
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - Beneficial Effect on Floodplain Occupancy/ Values **(Review Concluded)**.
 - Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
 - 8 Step Process Complete - documentation on file
Are project conditions required? YES (see Section V) NO **(Review Concluded)**
 - A Final Public Notice is required

Comments:

10/24/2012- A review of version 10 of this PW was conducted on this date. The City of New Orleans/Orleans Parish enrolled in the National Flood Insurance Program (NFIP), as of 8/3/1970. The Administration Building is shown within Effective base flood elevation is -1 foot, NGVD29, from FIRM 225203 0095E, dated 3/1/1984. LSUAg Center Advisory Base Flood Elevation Map data, Panel Number unknown, shows site in ABFE -1 feet NGVD, or 3 feet above Highest Elevation Adjacent Grade (HEAG). Per preliminary Digital Flood Insurance Rate Map (DFIRM) 22071C0120F, dated 11/13/2008, site is in Zone AE, El 1, base flood elevations (BFE) determined. Proposed project is a for cost and scope alignment and funding of three hazard mitigation proposals. In compliance with EO 11988, an 8-step process showing considered alternatives was completed, is attached or on file. A Cumulative Final Public Notice was published 10/26/07 - 11/07/07, and is attached or on file. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and applicant compliance with any conditions 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), for the replacement of building contents, materials and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials and equipment outside or above the base floodplain.

Correspondence/Consultation/References: Odessa Bowen, CFM, Floodplain Specialist.

B. E.O. 11990 - Wetlands

- No Effects on Wetland(s) and/or project located outside Wetland(s) - **(Review Concluded)**
- Located in Wetland or effects Wetland(s)
 - Beneficial Effect on Wetland - **(Review Concluded)**
 - Possible adverse effect associated with constructing in or near wetland
 - Review completed as part of floodplain review
 - 8 Step Process Complete - documentation on file
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: Review of the USFWS National Wetlands Inventory map for this project site indicates no mapped wetlands at or near the proposed project site.

Correspondence/Consultation/References: National Wetlands Inventory

C. E.O. 12898 - Environmental Justice for Low Income and Minority Populations

- Project scope of work has no potential to adversely impact any population **(Review Concluded)**
- No Low income or minority population in, near or affected by the project based on information gathered from <http://factfinder.census.gov>. **(Review Concluded)**
- Low income or minority population in or near project area
 - No disproportionately high and adverse impact on low income or minority population **(Review Concluded)**
 - Disproportionately high or adverse effects on low income or minority population
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: The project will repair the facility to pre-disaster condition and thus is not likely to have disproportionately high or adverse effects on low-income or minority populations.
Correspondence/Consultation/References: Memorandum of Understanding on Environmental Justice and Executive Order 12898 (February 11, 1994)

III. Other Environmental Issues

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

Resource Conservation and Recovery Act

Comments: Unusable equipment, debris, and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project, applicant shall handle, manage, and dispose of petroleum products, hazardous materials (such as asbestos and lead based paint), and/or toxic waste in accordance with the requirements and to the satisfaction of the governing local, state, and federal agencies.
Correspondence/Consultation/Reference: USEPA's RCRA Online

IV. Extraordinary Circumstances

Yes

- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy
- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- (viii) Potential for adverse effects on health or safety; and
- (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

Comments:

V. Environmental Review Project Conditions

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

- 1) Inadvertent Discovery Clause: If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO, and others as appropriate.

- 2) Louisiana Unmarked Human Burial Sites Preservation Act: If unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.
- 3) To remain in compliance with Section 106 of the NHPA, the applicant must comply with the stipulations set forth in the memorandum of agreement among the federal emergency management agency, the Louisiana State Historic Preservation Officer and the Division of Administration, Facility Planning and Control regarding flood-proofing measures at the Administration building, Southern University at New Orleans, New Orleans, LA executed on October 19, 2012.
- 4) This project is located within the Louisiana Coastal Management Zone. Projects within the coastal zone may require a coastal use permit or other authorization from DNR. Prior to initiation of work, projects should be coordinated by contacting LA DNR at 1-800-267-4019. If a permit or other authorization is required, applicant shall comply with all conditions of the permit.
- 5) Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project applicant shall handle, manage, and dispose of petroleum products, hazardous materials and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
- 6) The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and applicant compliance with any conditions 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), for the replacement of building contents, materials and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials and equipment outside or above the base floodplain.