

# PROJECT WORKSHEET REPORT

DECLARATION NO. FEMA-LA - DR1603

PREPARED DATE 12/04/2009

FIPS NO. 000-ULVHC-00

REPORT DATE 12/11/2012 12:44

APPLICANT NAME THE ADMINISTRATORS OF TULANE EDUCATIONAL FUND

INF TYPE  INF

SUBDIVISION

NON-INF

FEMA PW # 6058 VSN 3 REF# 6058V3

REC

CATEGORY E. Public Buildings COUNTY STATEWIDE FUNDING OPTION COST SHARE 1

STD PROJECT NO. 599 PROJECT TITLE PUBLIC BUILDINGS AND FACILITIES-HE-U047 PHELPS HOUSE: ME

PROJECTED CMLPTN DT 02/28/2009 ACTUAL CMLPTN DT WORK COMPLETE AS OF 12/04/2009 : 95 %

ELIGIBILITY Yes AMOUNT ELIG \$480,433.18 FEDERAL SHARE \$480,433.18 PRIORITY Normal

BEGIN DESIGN DT BEGIN CONSTR DT

PW REVIEWER DATA

END DESIGN DT END CONSTR DT

INITIAL REVIEW	REVIEWER NAME	DATE
	SCHWEDA, BARBARA	07/13/2011

PREPARER SCOTT D. BEEBE

ROLE PO DATA SOURCE

STATE

MT PROP  Yes  No

VALIDATED  Yes  No

DATE OBLGTD PACKAGE DATE

PNP QUESTIONS  Yes  No

STATE RVWD  Yes  No

PACKAGE ID

ATTACH  Yes  No

Does the Scope of Work change the pre-disaster conditions at the site?  Yes  No  Unsure

Special Considerations issues included?  Yes  No  Unsure

Is there insurance coverage on this facility?  Yes  No  Unsure

Hazard Mitigation proposal included?  Yes  No  Unsure

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APPLICANT NAME THE ADMINISTRATORS OF TULANE EDUCATIONAL FUND

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SITE FEMA PW # 6058 VSN 3 REF# 6058V3

REC

~~PHEL~~  
SITE NUMBER 1 of 1

~~FLOOR~~  
FACILITY NAME HE-U047 PHELPS HOUSE: MEP MECHANICAL ELECT

Latitude 29.94154

~~BASE~~  
BRICK ADDRESS 6823 ST. CHARLES AVE, NEW ORLEANS

Longitude -90.11852

CITY ORLEANS PARISH

STATE LA ZIP 70118

~~TULANE~~  
~~(PNEP)~~  
CHECK if this site will have mitigation work done on it:  Was this site previously damaged?  Yes  No  Unsure

SITE NUMBER 1 - LOCATION

6823 ST. CHARLES AVE, NEW ORLEANS, LA., ORLEANS PARISH

SITE NUMBER 1 - DAMAGE DIMENSIONS AND DESCRIPTION

DURING THE DECLARED EVENT ON AUGUST 29, 2005, HIGH WINDS AND HEAVY RAINS CAUSED EXTENSIVE DAMAGE TO PHELPS HOUSE LOCATED ON THE TULANE UNIVERSITY CAMPUS. AS A RESULT OF THE HURRICANE, THE PROTECTIVE LEVEES AROUND THE NEW ORLEANS AREA FAILED AND MANY LOCATIONS THROUGHOUT NEW ORLEANS FLOODED, INCLUDING THE FIRST FLOOR OF PHELPS HOUSE DAMAGING CRITICAL ELECTRICAL AND MECHANICAL COMPONENTS. THIS PROJECT WORKSHEET IS TO RESTORE THE CRITICAL MECHANICAL, ELECTRICAL AND PLUMBING (MEP) TO PHELPS HOUSE. THE REPAIRS ARE IN THE BASEMENT TO RESTORE POWER AND THE MECHANICAL SYSTEM TO PRE-DISASTER CONDITION. THIS FACILITY IS 40,666 S.F., BRICK BUILDING BUILT IN 1954 AND USED FOR STUDENT HOUSING, ACCOUNTS RECEIVABLE AND STUDENT LOAN OFFICE.

TULANE UNIVERSITY IS AN EDUCATION AND RESEARCH FACILITY HEADED BY THE APPLICANT, WHICH IS A PRIVATE-NON-PROFIT (PNP) ORGANIZATION.

THE LAT/LONG COORDINATES WERE TAKEN AT THE ENTRANCE OF THE BUILDING.

# **Record of Environmental Consideration**

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007

See 44 Code of Federal Regulations, Part 10

**Project Name/Number:** HE-U047 Phelps House, MEP; PW 6058-3/FIPS 000-ULVHC-00

**Applicant Name:** The Administrators of Tulane Educational Fund

**Project Location:** 6823 St. Charles Ave., New Orleans, Louisiana, 70118  
Latitude: 29.94154, Longitude: -90.11852

## **Project Description:**

The Department of Homeland Security (DHS) and the Council on Environmental Quality (CEQ) have established Alternative Arrangements to meet the requirements of the National Environmental Policy Act (NEPA) and the CEQ Regulations for Implementing the Procedural Requirements of NEPA to Reconstruct Critical Infrastructure in the New Orleans Metropolitan Area. These alternative arrangements will enable FEMA, as a component of DHS, to consider the potential for significant impacts to the human environment from its approval to fund the reconstruction of critical physical infrastructure in NOMA. This project qualifies as an Alternative Arrangement for the Reconstruction of Critical Infrastructure in the New Orleans Metropolitan Area. For more information visit: <http://www.fema.gov/new-orleans-metropolitan-area-infrastructure-projects-1>.

The Federal Emergency Management Agency (FEMA), Environmental and Historic Preservation (EHP) Division at the Louisiana Recovery Office has determined through its Special Considerations review that Administrators of Tulane Educational Fund (Applicant) public involvement process meets the requirements of the National Environmental Policy Act (NEPA) Alternative Arrangements (AA). Those requirements comply with the programmatic agreement between the White House Council on Environmental Quality, the Department of Homeland Security, and FEMA.

As part of the Greater New Orleans Area critical infrastructure, this project qualifies for expedited considerations under the Alternative Arrangements for NEPA compliance. The Alternative Arrangements process (<http://www.fema.gov/new-orleans-metropolitan-area-infrastructure-projects-6>) has been activated to address the basic elements of NEPA for actions taken to restore critical infrastructure devastated by Hurricane Katrina.

On August 29, 2005, Hurricane Katrina's flooding from levee failures caused extensive damage to the mechanical, electrical, plumbing and other critical systems of Tulane's Phelps House, located on Tulane University's St. Charles Campus. Phelps House was built in 1954. It is a four-story, approximately 42,800 SF building, used for student housing and as the site of the University's accounts receivable and student loan offices. The structure has a rectangular footprint approximately 230 feet by 61 feet. One half of Phelps House is raised approximately three feet above ground, creating an open area under the building with a raised open walkway. The building was inundated with floodwaters generated during the storm, causing the open half of the building to be submerged in three feet of water, which remained long enough to cause severe damage to the mechanical, electrical, HVAC, security, communications, and plumbing systems and fixtures, including causing the metal parts of the piping and piping suspension systems and the water line valves to corrode.

Previous versions of PW 6058 include eligible repair costs for Phelps House. Version "3" includes a hazard mitigation proposal to dry flood proof the grade level administrative offices and mechanical areas of Phelps House (Building U-047) against the flood of record. The mitigation efforts will include removal of the existing storefront window system in order to install a reinforced concrete with brick veneer bulkhead flood wall with associated flood gates/doors at access points, and installation of fiber reinforced polymer (FRP) sheets applied to the inside face of the existing grade level walls of the mechanical and transformer building spaces.

A conceptual, campus wide mitigation plan was provided by Tulane University in December 2006. The proposed flood-proofing treatments throughout Tulane's campus include dry flood-proofing measures below-grade, at grade-level, or in the mechanical spaces of various buildings; the construction of free-standing and attached concrete flood walls around the perimeters of select buildings; the installation of flood doors and gates at select locations; and the installation of a fiber reinforced polymer dry flood-proofing system to the interior faces of below-grade portions of exterior walls. The applicant's proposal of dry flood-proofing Phelps House is considered eligible based on the Unified Public Assistance Project Decision Team Eligibility Decision #8 dated March 27, 2009. Any floodgates associated with this undertaking will only be closed during a significant flooding event (100-yr flood/storm). A conceptual drawing for this undertaking is provided in the attached.

FEMA determined that Tulane's proposed floodproofing mitigation measures throughout the university resulted in an extraordinary circumstance whereby a greater scope or size than normally experienced for mitigation activities was being proposed. Particular concern was raised for the campus wide proposed undertaking's impact to the surrounding community's floodplain. Tulane University completed a Hydrology and Hydraulics (H&H) study to determine the environmental effects of this undertaking to the surrounding community's floodplain. The (attached) study concluded that the proposed project would present negligible impacts to the surrounding community in the event of a 100-yr storm. As a requirement of Executive Order 11988 and NEPA Alternative Arrangements, significant public outreach was also achieved through the applicant's Public Involvement Plan as documented in the attached, Report of Finding for NEPA compliance.

**National Environmental Policy Act (NEPA) Determination**

- Statutorily excluded from NEPA review (**Review Concluded**)
- Programmatic Categorical Exclusion - Category (**Review Concluded**)
- Categorical Exclusion - Category ix and 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)
- 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 (NEPA) under 40 CFR 1506.11 and 44 CFR 10.13 approved by the Council on Environmental Quality, DHS, and FEMA on 3/23/2006. The applicant has provided sufficient documentation to demonstrate a satisfactory public involvement process. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files. 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.

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

**Reviewer and Approvals**

**FEMA Environmental Reviewer:**

Name: Shelly Chichester, Environmental Protection Specialist, FEMA LRO

Signature \_\_\_\_\_

Date 12/10/2012

**FEMA Environmental Liaison Officer or Delegated Approving Official:**

Name: Kevin Mannie, Lead Environmental Protection Specialist, FEMA LRO



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

**Comments:** Project is located in an urban or previously developed area. Neither listed species nor their habitat occur in or near this site, thus FEMA finds there will be no effect to threatened or endangered species.

**Correspondence/Consultation/References:** USFWS emergency consultation provisions determined in letters dated September 15, 2005 for Katrina.

### C. Coastal Barrier Resources Act

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

**Comments:** Project is not within a CBRA zone.

**Correspondence/Consultation/References:** Louisiana Coastal Barrier Resource System Maps referenced 11/02/2012

### 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 jurisdictional waters of the U.S., including wetlands, occur in or near the project area.

**Correspondence/Consultation/References:** USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>). S.Chichester, Environmental Protection Specialist, 11/02/2012

### 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. In a letter dated September 28, 2012, the Louisiana Office of Coastal Management determined that the granting of financial assistance is fully consistent with the Louisiana Coastal Resources Program. 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 shall comply with all conditions of the required permit. 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.

**Correspondence/Consultation/References:** Louisiana Coastal Zone maps.

([http://dnr.louisiana.gov/assets/OCM/CoastalZoneBoundary/CZB2012/maps/Outreach\\_Map.pdf](http://dnr.louisiana.gov/assets/OCM/CoastalZoneBoundary/CZB2012/maps/Outreach_Map.pdf)), S.Chichester, Environmental Protection Specialist, 11/02/2012

## 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 scope does not include impoundment, diversion, control, or other modification of waters of any stream or body of water.

**Correspondence/Consultation/References:** Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) queried 11/06/2012.

## 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:** 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. See Section V.

**Correspondence/Consultation/References:** EPA Region 6 Non-attainment Map. (<http://www.epa.gov/oaqps001/greenbk/map/mapnpoll.pdf>) S.Chichester, Environmental Protection Specialist, 11/02/2012

## 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 project site is in a developed urbanized area and Farmland Protection Policy Act (FPPA) is precluded. No prime or unique farmland present.

**Correspondence/Consultation/References:** National Resource Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/>) referenced 11/02/2012

## 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:** (<http://www.habitat.noaa.gov/protection/efh/efhmapper/index.html>).  
S.Chichester, Environmental Protection Specialist, 11/02/2012

### 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 Wild or Scenic River (WSR).  
**Correspondence/Consultation/References:** National Wild and Scenic Rivers <http://www.rivers.gov/wildriverslist.html#ls>,  
S.Chichester, Environmental Protection Specialist, 11/02/2012

### L. Resource Conservation and Recovery Act

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 to the requirements and to the satisfaction of the governing local, state and federal agencies. All coordination pertaining to these activities should be documented and copies forwarded to the state and to FEMA as part of the permanent project files. (See Section V)

## 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:** Orleans Parish enrolled in the National Flood Insurance Program (NFIP) on 08/03/1970. Revised Preliminary Digital Flood Insurance Rate Maps (DFIRM) were issued on 11/9/12 for areas benefiting from the protection of the Hurricane Storm Damage Reduction System (HSDRRS). Where issued, the Revised Preliminary DFIRM's replace the 2008 Preliminary DFIRMs and now represent the best available flood risk data for compliance with E.O. 11988 and 44CFR 9. Elevation or mitigation to the 2008 Preliminary DFIRM base flood elevation (BFE) is not required. The Tulane campus is located within Zones "AE" (EI -1), and "Shaded X" (Protected by Levee), as per Revised Preliminary DFIRM Panel Record of Environmental Consideration (Version April 2007)

Numbers 22071C0228F, dated 11/09/2012, and 22071C0230F, dated 11/13/2008. 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) 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. In compliance with EO11988, an 8-step process showing considered alternatives was completed and is attached and/or on file.

**Correspondence/Consultation/References:** Preliminary Digital Flood Insurance Rate Map (DFIRM) panels 22071C0228F, dated 11/09/2012, and 22071C0230F, dated 11/13/2008, and attached 8-step process.

**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:** No wetlands were determined to be present by checking the USFWS National Wetlands Inventory (NWI) maps.  
**Correspondence/Consultation/References:** USFWS NWI map accessed on-line.  
(<http://wetlandsfws.er.usgs.gov/wtlnds/launch.html>). S.Chichester, Environmental Protection Specialist, 11/02/2012

**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 populations within zip code 70118 are: 44.6% White, 51.6% Black, and 3.2% Hispanic.  
**Correspondence/Consultation/References:** U.S. Census bureau 2000 data at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>. S.Chichester, Environmental Protection Specialist, 11/02/2012

**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).

**Comments:** None  
**Correspondence/Consultation/Reference:**

**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

### Project Conditions:

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

1. To remain in compliance with Section 106 of the NHPA, the applicant must comply with the stipulations set forth in the Secondary Programmatic Agreement among the Federal Emergency Management Agency, Advisory Council of Historic Preservation Officer, and the Administrators of the Tulane Educational Fund regarding the installation of flood-proofing treatments at Tulane University of Louisiana, New Orleans, La executed on December 5, 2012.
2. 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. Within three days of the discovery, the applicant shall inform GOHSEP and their public assistance (pa) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of archaeology at 225-342-8170 within seventy-two hours of the discovery. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.
3. 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 to the requirements and to the satisfaction of the governing local, state and federal agencies. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
4. Applicant is responsible for obtaining and/or complying with all federal, state and local permits, ordinances and/or requirements for the collection, handling, storage, transportation and disposal of any medical, hazardous, biological, laboratory/research reagents, radiological, pharmaceutical or toxic flood related waste or debris. Materials include, but are not limited to ice machines, refrigerators, ATVs, forklifts, generators, air conditioning units, computers, televisions, used oil, diesel and other petroleum products, mercury switches, used oil filters, fuel filters, and batteries. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
5. This project involves the demolition or renovation, of a facility constructed prior to 1978 that may contain surfaces coated with Lead-Based Paint (LBP). The applicant is responsible for complying with the Toxic Substances Control Act (TSCA) Section 402(c)(3) 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.

6. If any asbestos containing materials, lead based paint and/or other hazardous materials are found during remediation or repair activities, the applicant shall comply with all federal, state and local abatement and disposal requirements under the National Emissions Standards for Hazardous Air Pollutants (NESHAP) and Louisiana Administrative Code 33:III 5151. Demolition activities related to Possible Asbestos-Containing Materials (PACM) must be inspected for ACM/PACM where it is safe to do so. Should asbestos containing materials (ACM) be present, the applicant is responsible for ensuring proper disposal in accordance with the previously referenced Administrative Orders. Demolition activity notification must be sent to the LDEQ before work begins. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
7. This project is located within the Louisiana Coastal Management Zone. In a letter dated September 28, 2012, the Louisiana Office of Coastal Management determined that the granting of financial assistance is fully consistent with the Louisiana Coastal Resources Program. 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 shall comply with all conditions of the required permit. 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.
8. Applicant is required to coordinate with the local floodplain administrator regarding floodplain permits prior to the start of any activities. Applicant is responsible for obtaining and retaining all permits and certificates for verification. All coordination pertaining to these permits should be documented to the local floodplain administrator and copies provided to LA GOHSEP and FEMA as part of the permanent project files.
9. 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.