

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA

See 44 Code of Federal Regulations, Part 10

Project Name/Number: LSU Dental School Annex Bldg
PWs 10282 v 5
FIPS#: 00-UXL4N-00

Applicant Name: Facility Planning and Control

Project Location: 1100 Florida Avenue, New Orleans, LA 70119
Latitude: 29.99173, Longitude -90.08409

Project Description: On August 29, 2005, high winds, heavy rains, and flooding from levee breaks generated by Hurricane Katrina severely impacted and disrupted the State of Louisiana causing extensive wind and flood damages to the LSU School of Dentistry in the city of New Orleans. During the declared disaster, buildings on School of Dentistry campus were inundated with approximately five feet of flood water, which stood for approximately two weeks, causing damage to architectural, mechanical, and electrical components. Buildings damaged included the Administration Building, Clinical Building, and Physical Plant.

The Physical Plant, built in 1971, is a one story building with a concrete foundation and slab and concrete structural frame with tilt up walls. The floor area is approximately 8,073 SF, and the footprint of the building is 78 ft by 103.5 ft. In the northwest corner is a mechanical access point to a mechanical access tunnel between the physical plant and both the administration building and the clinical building. The major mechanical systems are on the first floor, and the electrical distribution systems, emergency generator, and offices are primarily on the mezzanine level. Cooling towers for the air conditioning chillers are on the roof.

The Clinical Building, built in 1971, is an eight story building constructed with a concrete foundation, reinforced concrete frame, and concrete walls. The building is approximately 196,646 SF, with a footprint measuring 123 ft by 169 ft.

The Administration Building, built in 1971, is a four-story building with a concrete foundation, frame & walls, with a flat built-up roof. The building is approximately 72,175 SF, with a footprint measuring 175 ft by 120 ft.

The proposed project includes repairs to the existing structures to restore them to pre-disaster condition, and Hazard Mitigation Proposals (HMPs) to relocate damaged and critical components to upper floors within the existing buildings as well as within the proposed new annex building. The intent of the HMPs is to mitigate for future disasters, and include the following:

1. Wet/dry flood proofing for first floor,
2. Dry flood proofing for elevator components,
3. Elevating the critical mechanical, electrical and plumbing (MEP) components,
4. Constructing an elevated, three-story annex between the Clinical Building and Physical Plant. The annex will (a) house dental and research equipment and supplies from the basement and first floor of the Dental School Clinic Building, and (b) relocated critical MEP components servicing the Dental School Clinic and Administration Buildings from the Clinic basement to an elevated location within the annex. In addition, the medical vivarium will be relocated to the new annex building. To mitigate future damage to upper floor building components and critical medical functions, the annex will provide an emergency power generation system for the Clinic and Physical Plant facilities.

National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review (**Review Concluded**)
- Programmatic Categorical Exclusion (**Review Concluded**)

- Categorical Exclusion
 - 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
- Scope of work requires public involvement plan

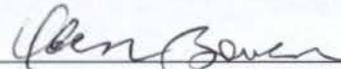
Comments: Project meets the criteria to utilize the Alternative Arrangement Process within the National Environmental Policy Act under 40 CFR 1506.11 and 44 CFR 10.13 approved by the Council on Environmental Quality, DHS, and FEMA on 3/23/2006. The applicant has provided sufficient documentation to demonstrate a satisfactory public involvement plan. The applicant is required to obtain and comply with all local, state, and federal permits and 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. Changes to the scope of work will require reevaluation for compliance with NEPA. Failure to comply with these conditions may jeopardize federal assistance including funding. Odessa Bowen, Environmental Protection Specialist

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

Reviewer and Approvals

FEMA Environmental Reviewer:

Name: Odessa Bowen, Environmental Protection Specialist, FEMA LRO

Signature  Date 6.19.2013

FEMA Environmental Liaison Officer or Delegated Approving Official:

Name: Adam Borden, Lead Environmental Protection Specialist, FEMA LRO

Signature  Date 6/19/13

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**)
- Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (date of agreement and allowance number in comments) - **Review Concluded**
- Applicable executed Programmatic Agreement (August 17, 2009, Amended 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: A review of version 5 of this project was conducted in accordance with FEMA's Programmatic Agreement dated August 17, 2009 and amended on July 22, 2011 (PA). In accordance with Stipulation VIII.E of the PA, FEMA determined that there are no historic properties affected as a result of the proposed undertaking and provided the SHPO and Tribes the opportunity to review and comment. SHPO concurrence with this determination was received, dated October 17, 2012. Consultation with 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 the PA and 36 CFR Part 800.2(C)(2)(I)(B). The Tribes did not object within the regulatory timeframes; therefore, in accordance with Stipulation VIII.E (1) of the PA and 36 CFR Part 800.5(C) 1, FEMA may proceed with funding the undertaking assuming concurrence. The applicant must comply with the NHPA conditions set forth in this PW. No further Section 106 review is required unless there is a change to the scope of work. Any change to the approved scope of work will require re-evaluation under Section 106. Non-compliance may jeopardize the receipt of federal funding.

Correspondence/Consultation/References: Mike Wilder, FEMA HP Specialist-Archaeologist & Dan Diguseppe, FEMA HP Specialist/C. Dluzak, Lead HP Specialist, 11-01-2012/6-6-2013.

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: The project sites are located in urban or previously developed areas. Neither listed species nor their habitat would be adversely impacted, thus FEMA finds there will be no effect to threatened or endangered species or critical habitat.

Correspondence/Consultation/References: U.S. Fish & Wildlife Service's IPaC website (<http://ecos.fws.gov/ipac/>) queried on 6/12/2013

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: Projects are not within a CBRA zone.

Correspondence/Consultation/References: Louisiana Coastal Barrier Resource System Maps reviewed on 6/12/2013

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: The sites are located in urban, previously-disturbed sites with no evidence of wetlands or other waters of the U.S. According to the U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) map, there are no wetlands that occur within or near the proposed project area.

Correspondence/Consultation/References: USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) accessed on 6/12/2013

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: Projects are located within the Louisiana Coastal Management Zone. In a letter dated September 28, 2012, the Louisiana Office of Coastal Management (OCM) 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 permit(s) from the Louisiana Department of Natural Resources' (LDNR) Coastal Management Division (CMD) 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. See Section V for conditions.

Correspondence/Consultation/References: Louisiana Coastal Zone maps.

(http://dnr.louisiana.gov/assets/OCM/CoastalZoneBoundary/CZB2012/maps/Outreach_Map.pdf), accessed on 6/12/2013

F. 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 projects include activities that would produce a minor, temporary, and localized impact on air quality from fugitive dust particles. No long-term air quality impact is anticipated.

Correspondence/Consultation/References: EPA Region 6 Non-attainment Map.

(<http://www.epa.gov/oaqps001/greenbk/map/mapnpoll.pdf>) queried on 6/12/2013

G. 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 sites are in developed urbanized areas 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/>)

H. 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 sites are existing disturbed areas 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

I. 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: Projects are not located in any surface waters with the potential to affect EFH species.

Correspondence/Consultation/References: Louisiana Map

(<http://www.habitat.noaa.gov/protection/efh/efhmapper/index.html>) queried on 6/12/2013

J. 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: Projects are not along and do not affect Wild or Scenic River (WSR).

Correspondence/Consultation/References: National Wild and Scenic Rivers

<http://www.rivers.gov/wildriverslist.html#ls>, queried on 6/12/2013

K. 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, and/or toxic waste in accordance with the requirements and to the satisfaction of the governing local, state, and federal agencies.

II. Compliance Review for Executive Orders

A. E.O. 11988 - Floodplains

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

Comments: The Parish of Orleans enrolled in the National Flood Insurance Program (NFIP) on 8/3/1970. Site is located within Zone "AE", EL -3, base flood elevation determined, as per Revised Preliminary Digital Flood Insurance Rate Map (DFIRM) Panel Number 22071C0227F, dated 11/9/2012. Revised DFIRMs were issued on 11/9/2012 for areas benefiting from the protection of the Hurricane Storm Damage Reduction System (HSDRRS). Where issued, the Revised Preliminary DFIRMs replace the 2008 Preliminary DFIRMs and now represent the best available flood risk data for compliance with E.O. 11988 and 44 CFR 9.

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. Local ordinance requires flood protection to advisory base flood elevations (ABFE) depicted on 2006 ABFE maps. Per ABFE Map Panel Number LA-DD31 dated 6/5/2006, site is located in an ABFE EL 0.5 ft or 3 ft above Highest Existing Adjacent Grade (HEAG) zone. 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 Executive Order 11988, an 8-step process was completed, is attached and on file.

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: 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>) accessed on 6/12/2013

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 [add a reference] **(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: Information obtained from the U.S. Census Bureau Fact Finder website for New Orleans zip code 70119 indicates population percentages in 2010 were as follows: 31.7 percent white, 61.4 percent black, 9.4 percent Hispanic, 0.8 percent Asian, and 0.2 percent Native American. The 2007-2011 American Community Survey five-year median household income for New Orleans zip code 70119 is \$29,762 (in 2011 inflation-adjusted dollars) and the 2010 median household income for the New Orleans Metropolitan Area, which includes Kenner and Metairie, is \$46,134 (U.S. Census Bureau, 2010). Low income or minority population in or near project area, however project will not have a disproportionately high and adverse impact on low income or minority population

Correspondence/Consultation/References: <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml> accessed on 6/12/2013

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: None

V. Environmental Review Project Conditions

Project Conditions:

- 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.
- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present within 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.
- The applicant is responsible for coordinating with and obtaining any required permit(s) from the Louisiana Department of Natural Resources' (LDNR) Coastal Management Division (CMD) 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.
- 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, lead based paint, and avian excrement) 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.

- 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.