

# **Record of Environmental Consideration**

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** HR-Wilson Athletic Center U111/PW 10457v7

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

**Project Location:** 6823 St. Charles Ave., New Orleans, Louisiana, 70118  
Latitude: 29.93921, Longitude: -90.12164

## **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 [www.fema.gov/plan/ehp/noma/index.shtm](http://www.fema.gov/plan/ehp/noma/index.shtm)

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 ([www.fema.gov/plan/ehp/noma](http://www.fema.gov/plan/ehp/noma)) 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 high winds and heavy rains caused extensive damage to Tulane's Wilson Athletic Center located on Tulane University's St. Charles Campus. Up to 3 ft of floodwater at the Wilson Center damaged the facility's architectural features including gypsum wall boards, doors, insulation, floor coverings, and paint. This building, built in 1989, is a 3 story, 70,366 sq. ft., slab on grade, masonry block exterior with flat built up roof. The building is designed as an athletic center and houses classrooms, administrative offices, a weight room, trophy hall, gift shop, computer lab, and other support space.

Previous versions of PW10457 include eligible repair costs for the Wilson Athletic Center. A conceptual, campus wide mitigation plan was provided by the 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. This mitigation proposal from the applicant was deemed ineligible in a previous HMP in version 4. The applicant's proposal of dry flood-proofing the Wilson Athletic Center is now being considered as eligible based on the Unified Public Assistance Project Decision Team Eligibility Decision #8 dated March 27, 2009. Version 7 of PW 10457 includes mitigation activities to dry-floodproof the Wilson Athletic Center. 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

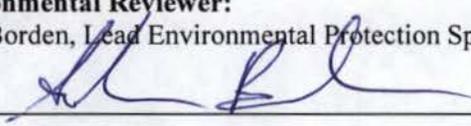
*Comments:* This project meets the criteria to utilize the Alternative Arrangement Process within the National Environmental Policy Act approved by the Council on Environmental Quality, DHS, and FEMA on 3/23/2006. Based on information provided by the applicant, the scope of work for this project is included 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.

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

**Reviewer and Approvals**

**FEMA Environmental Reviewer:**

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

Signature  Date 4/4/12

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

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

Signature  Date 4/4/12

**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
  - Are project conditions required?  Yes (see Section V)  No

- Programmatic Agreement not applicable for historic structures or archeological sites, must conduct standard Section 106 Review (see below).  
 Other Programmatic Agreement dated \_\_\_\_\_ applies

### HISTORIC BUILDINGS AND STRUCTURES

- No historic properties that are listed or 45/50 years or older in project area. **(Review Concluded)**  
 Building or structure listed or 45/50 years or older in 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 scope of work has no potential to affect archeological resources **(Review Concluded)**  
 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 this project was conducted in accordance with FEMA's statewide Programmatic Agreement dated August 17, 2009. FEMA has determined that there will be no historic properties affected by the proposed undertaking. SHPO concurrence with this determination was received, dated April 12, 2010. Consultation was conducted with the Choctaw Nation of Oklahoma in accordance with the agreement; and FEMA did not receive a response within fifteen days after receipt. Additionally, consultation was conducted with the Alabama-Coushatta Tribe of Texas, Coushatta Tribe of Louisiana, Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Quapaw Tribe of Oklahoma, Seminole Nation of Oklahoma, Seminole Tribe of Florida, and Tunica-Biloxi tribe of Louisiana pursuant to 36 CFR 800.2(c)(2)(i)(b). Fema received concurrence from the alabama-coushatta tribe of texas, dated march 24, 2010. FEMA did not receive a response from the remaining tribes within thirty days after receipt, and therefore may proceed with funding under 36 cfr ?800.3(c)(4). The applicant must comply with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) and the Inadvertent Discovery Clause, Any change to the approved scope of work will require reevaluation under Section 106.

**Correspondence/Consultation/References:** D.Gardner, Historic Preservation 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:** 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 April 2, 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/>) queried on April 2, 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. Projects within the coastal zone may require a coastal use permit or other authorization from LADNR. Projects may be coordinated by contacting LA DNR at 1-225-342-9232.

**Correspondence/Consultation/References:** Louisiana Coastal Zone maps queried April 2, 2012

### 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 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:** EPA Region 6 Non-attainment Map queried April 2, 2012

### 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 site is located within an existing urban and developed area and FPPA is precluded.  
**Correspondence/Consultation/References:** National Resource Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/>) referenced April 3, 2012

### 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 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.

### 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:** Project is not located in or near any surface waters with the potential to affect EFH species.  
**Correspondence/Consultation/References:** Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) referenced April 2, 2012

### 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:** Project is not along and does not affect Wild or Scenic River (WSR).

**Correspondence/Consultation/References:** National Wild and Scenic Rivers <http://www.nps.gov/rivers/wildriverslist.html> queried April 2, 2012

## 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 (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.

## 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:** Tulane University St. Charles Campus is located in a quadrant bounded by Calhoun St., St. Charles Ave., Broadway St. and S. Claiborne Ave and is shown on Flood Insurance Rate Map (FIRM) panel 225203 0160E, dated 3/1/1984, as partially in zone A1, with a base flood elevation (BFE) of 1.5 feet and subject to flooding of a 1% chance flood in any given year. The rest of the campus is in zone B, an area subject to flooding from events with a lower frequency of occurrence and not within a 100-yr floodplain. The locally adopted Advisory Base Flood Elevation Map (ABFE), LA-CC-30, shows most of the campus in zone ABFE 1.5 feet NGVD, or 3 feet above Highest Elevation Adjacent Grade (HEAG) whichever is higher. Portions of the campus shown on ABFE map LA-BB-30, and the southwestern portion of LA-CC-30 are in a zone ABFE of 3 feet above HEAG. Per preliminary Digital Flood Insurance Rate Map (DFIRM) panel 22071C0230F, dated 11/13/2008, the northern half of campus is in Zone AE, El 0, Area of 100-year flooding, base flood elevations (BFE), and the southern half in zone X (shaded), area outside the 100-yr floodplain. Proposed projects are hazard mitigation projects to dry-floodproof these buildings to protect against the flood of record. The flood of record occurred during Hurricane Katrina and was about 2 to 3 feet above existing ground for the portions of Tulane campus shown within the special flood hazard area, zone A1 per 225203 0160E.

In compliance with EO11988, an 8-step process showing considered alternatives was completed and is attached and/or on file.

**Correspondence/Consultation/References:** Flood Insurance Rate Map (FIRM) panel 225203 0160E, Advisory Base Flood Elevation Map (ABFE), LA-CC-30, preliminary Digital Flood Insurance Rate Map (DFIRM) panel 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:** None

**Correspondence/Consultation/References:** USFWS NWI map accessed on-line April 2, 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://factfinder.census.gov>, referenced April 2, 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. If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their public assistance (pa) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of archaeology at 225-342-8170 within seventy-two hours of the discovery. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.
2. 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.
3. 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 LADNR. Projects may be coordinated by contacting LA DNR at 1-225-342-9232.
4. 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.
5. 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.



## National Environmental Policy Act

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# Alternative Arrangements for NEPA Compliance

### REPORT OF FINDING: Final Approval

The Administrators of Tulane Educational Fund-  
Floodproofing measures at Tulane University

#### Project Worksheets:

3975-5, 6058-3, 8155-3, 9856-6, 9868-5, 9247-5, 9724-5,  
9960-6, 10357-4, 10436-5, 10454-7, 10488-5, 12199-4,  
additional project worksheets submitted not specified  
here as deemed applicable by FEMA-EHP

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 public involvement process for the above-referenced undertaking 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.

**BACKGROUND:** 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 ([www.fema.gov/plan/ehp/noma](http://www.fema.gov/plan/ehp/noma)) has been activated to address the basic elements of NEPA for actions taken to restore critical infrastructure devastated by Hurricane Katrina.

**PUBLIC INVOLVEMENT:** Applicants wishing to utilize Alternative Arrangements are required to follow a public involvement plan and to obtain public input regarding the proposed project.

#### **ANALYSIS of PUBLIC INVOLVMENT for this project:**

1. Tulane meets bi-annually with neighborhood associations in an effort to update them on current and future construction projects. On September 1, 2009 and December 13, 2011, Tulane held a neighborhood meeting and discussed proposed Tulane projects, including mitigation with floodproofing activities.
2. Tulane's Capital Projects and Real Estate Group (CPREG) developed a website with links to the University's Mitigation Plan as well as a link to a study defining the proposed undertaking's impact to the surrounding floodplain. This study has been available for public comment since 8/9/11.

3. A legal notice was placed in the Times-Picayunne Legal Section from 8/12/11 to 8/16/11 announcing the availability of the study at the website with a hardcopy also available at the Howard Tilton Memorial Library near Tulane University's St. Charles Ave. Campus.
4. On 3/15/12, Tulane University emailed their listserv community an announcement directing readers to the CPREG website for further review of conceptual plans for floodproofing and an explanation of FEMA's obligations for review under the National Environmental Policy Act, National Historic Preservation Act, and Executive Order 11988. Readers were granted 15 days to comment on the undertaking as it relates to these laws and Executive Order. Any member of the public is welcome to join Tulane's listserv community. The current listserv includes representatives from nearby neighborhood organizations.
5. Tulane University is also currently engaged in a Section 106 process under the NHPA for public involvement. Although the 106 process remains ongoing with the exception of the 'Wilson Athletic Center' (PW 10454) and 'Super Block Power Plant' (PW 12199), a solicitation for public comment was satisfactorily completed. Starting 3/15/12, the public was given 15 days to comment on the undertaking and FEMA's Section 106 review. Notice of the announcement was provided to consulting parties through email. The announcement was placed on the Louisiana Department of Culture, Recreation, and Tourism website, and the Tulane CPREG website.
6. The FEMA website for Alternative Arrangements also calls public attention to the floodproofing undertaking. The FEMA internet site contains a feature allowing a user to write a feedback comment on a specific project.
7. All outreach activities resulted in two public comments received by FEMA. Neither comment was substantive and on-topic with the solicitations. Tulane University will post their response to the two comments on the Tulane CPREG website.

**FINDING:**

**A. Documentation Sufficient** Based on documentation provided by the applicant, FEMA's review has determined the above-referenced project by the Administrators of Tulane's Educational Fund includes a satisfactory process for public involvement in project development and is otherwise eligible for consideration under Alternative Arrangements for NEPA compliance.

**B. Final Approval** The Administrators of Tulane University have been responsive to requests for information about the above-referenced project. Due to satisfactory completion of public involvement processes identified above the Applicant is hereby granted final NEPA approval for the above-referenced project.

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

Tiffany Spann-Winfield  
Deputy Environmental Liaison Officer  
FEMA Environmental/Historic Preservation  
#1 Seine Court, 6<sup>th</sup> Floor, New Orleans, Louisiana 70114