

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007

See 44 Code of Federal Regulations, Part 10

Project Name/Number: Dixon Hall (U068); PW 10488-5/FIPS 000-ULVHC-00

Applicant Name: The Administrators of Tulane Educational Fund

Project Location: 6823 St. Charles Ave., New Orleans, Louisiana, 70118
Latitude: 29.94065, Longitude: -90.12148

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 high winds and heavy rains and resultant loss of municipal power caused extensive flooding and damage to Dixon Hall, located on Tulane University's St. Charles Campus. Dixon Hall was built in 1929, and is a three-story, approximately 74,734 SF, brick building, with an unfinished half basement. Dixon Hall has an irregular footprint of approximately 175 feet by 195 feet. Dixon Hall houses music classrooms, music faculty offices, practice and listening rooms, and an auditorium. Hurricane force winds and blowing debris damaged the roof membrane, shingles and tile, metal coping, downspouts, ductwork and insulation, and rooftop exhaust fan dome cover. The building's basement was inundated with two feet of floodwaters that stood in place for two weeks. Flooding and the loss of electrical power and ambient temperature control systems resulted in high humidity, mold growth, and damage to interior and exterior walls, paints and finishes, floors and floor coverings, ceilings and acoustical tiles, auditorium seating and other furniture, carpentry and cabinets, doors and hardware, and window coverings.

Prior versions of PW 10488 include eligible repair costs for Dixon Hall. Version "5" includes a hazard mitigation proposal to dry flood proof the basement level mechanical/electrical equipment room and the grade level electrical transformer house building by installation of water-resistant fiber reinforced polymer (FRP) sheets applied to the inside face of the existing basement foundation walls of the mechanical/electrical equipment room and the grade level transformer house building spaces. In addition, flood doors would be installed at entrances to grade level access points to the basement, at the entrance to the transformer house, and

FEMA Environmental Liaison Officer or Delegated Approving Official:

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

Signature  Date 12/10/2012

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, December 05, 2012, 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 (2PA 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 the Secondary Programmatic Agreement among FEMA, SHPO, ACHP, and the Administrators of the Tulane Education Fund (Tulane) regarding the Installation of Flood-Proofing Treatments at Tulane University (Tulane 2PA) executed on December 5, 2012. Per the Tulane 2PA, FEMA will complete Section 106 review following receipt of schematic design plans with completed Appendix C form as described in Stipulations III-IX. Any change to the approved scope of work will require reevaluation under Section 106.

Correspondence/Consultation/References: Amber Martinez, Historic Preservation Specialist

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), S.Chichester, Environmental Protection Specialist, 11/06/2012

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, 11/06/2012

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 11/06/2012

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.

- (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.

National Environmental Policy Act

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) 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.