

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007

See 44 Code of Federal Regulation Part 10

Project Name/Number: Orleans Parish School Board - Single Settlement Request / PW 19290, Version 1 REVISED, FIPS#: 071-UFT13-00

Applicant Name: Orleans Parish School Board (OPSB)

Project Locations: 38 Project Locations (See below)

1	Hynes, Edward, ES- 30.00315, -90.10122 990 Harrison Avenue	20	Franklin, Benjamin, HS- 30.02455, -90.06517 2001 Leon C. Simon Drive
2	Phillips/Waters, HS- 29.99824, -90.08250 1200 Senate Street	21	Habans, Paul B., ES- 29.92563, -90.01696 3819 Herschel Street
3	Eisenhower, Dwight, ES- 29.905684, -89.997945 3700 Tall Pines Drive	22	Landry, L.B., HS- 29.94252, -90.04056 1200 L.B. Landry Avenue
4	Wright, Sophie, HS- 29.92552, -90.10221 1426 Napoleon Avenue	23	McDonogh 35, HS- 29.96891, -90.06511 1331 Kerlerec Street
5	Schwarz, Louis E.- 29.939581, -90.047131 709 Park Boulevard	24	McMain, Eleanor, ES- 29.94189, -90.11194 5712 South Claiborne Avenue
6	Behrman, Martin, ES- 29.9482, -90.04866 715 Opelousas Avenue	25	Tubman, Harriet R., ES- 29.94445, -90.03627 2013 General Meyer Avenue
7	McDonogh 07, ES- 29.92334, -90.09906 1111 Milan Street	26	Lusher Extension- 29.94384, -90.13274 719 South Carrollton Avenue
8	Lusher, Robert Mills, ES- 29.94496, -90.12244 7315 Willow Street	27	Easton, Warren, HS- 29.96840, -90.09040 3019 Canal Street
9	Audubon-Montessori, ES- 29.93421, -90.12994 428 Broadway Street	28	Algiers Bus Garage- 29.95412, -90.04734 800 Patterson Drive
10	Walker, O. Perry, HS- 29.94343, -90.02659 2832 General Meyer Avenue	29	New Orleans Center for Health Careers (NOCHC)- 29.95948, -90.08216, 2009 Palmyra St.
11	Ashe, Arthur, ES- 29.91815, -90.11955 401 Nashville Avenue	30	Nelson, Medard H., ES- 29.98951, -90.07450 3121 St. Bernard Avenue
12	Karr, Edna, ES- 29.92052, -90.00399 3332 Huntlee Drive	31	Green, Samuel J., MS- 29.93353, -90.10605 2319 Valence Street
13	Rosenwald, Julius, ES- 29.91694, -89.98519 6501 Berkley Drive	32	Fortier, Alcee (Lusher), HS- 29.93545, -90.11398 5624 Freret Street
14	Wicker, Albert, ES- 29.96313, -90.07923 2011 Bienville Avenue	33	Bethune, Mary M., ES- 29.97258, -90.11403 4040 Eagle Street
15	Henderson, Murray, ES- 29.93392, -90.04110 1912 L.B. Landry Avenue	34	Elementary School at Curran Boulevard Site 30.03918, -89.99572, Goretti Playground
16	Craig, Joseph A., ES- 29.96508, -90.06903 1423 St. Philip Street	35	Timbers Office Building- 29.92643, -90.02128 3510 General DeGaulle Drive
17	Capdau, Pierre A., JHS- 29.99823, -90.04944 3821 Franklin Avenue	36	Franklin, Benjamin, ES- 29.114629, -90.114629 1116 Jefferson Avenue
18	Harte, Alice M., ES- 29.91896, -89.99896 5300 Berkley Drive	37	Moton, Robert, ES- 29.98852, -90.03934 3000 Abundance Street
19	McDonogh 32, ES- 29.94354, -90.04816 800 Dearmas Street	38	New Orleans Center for Adult Ed, 29.96829, -90.06082 1815 St. Claude Ave

Project Description:

On August 29, 2005, Hurricane Katrina and its aftermath caused wind and flood damages to numerous public schools in New Orleans, Orleans Parish, LA. This Record of Environmental Consideration (REC) addresses Version 1 of the Orleans Parish School Board's "Single Settlement Request" (SSR) for FEMA grant funding to help support the restoration of school services in Orleans Parish following Hurricane Katrina by means of both new construction and the repairing of damaged facilities.

Specifically, this REC covers:

- Certain cost adjustments associated to scope approved in Version 0;
- Add McDonough 32 Buildings C and D to the SSR (Buildings A and B included in Version 0);
- The addition of prior FEMA Environmental and Historic Preservation (EHP) "hold-outs" to the SSR;
- Document approved scope of work itemized in "site sheets" corresponding to each site listed above;
- FEMA's approval for the applicant to utilize the Advisory Base Flood Elevation (ABFE) maps as "Best Available Data" to meet minimum floodplain requirements;
- Acknowledgement of the applicant's revised master plan.

Proposed Cost Adjustments

- PW 19290, Version 0, NEMIS line item 6, described as "Reduction in Direct Administration Costs" and valued at -\$1,161,660.22, was applied erroneously. This reduction is not because of Direct Administration costs but instead captures demolition funding captured in PWs 12450, 12724, and 12900. As stated in Version 0, if a building qualifies for replacement, demolition funding will remain with the contributing SSR PWs. Consequently, in order to return \$1,161,660.22 to PW 19290, the scope will be transferred from the PWs listed above, with the demolition scope moved to PW 12933, which contains an overfunded demolition. These transfers will have zero impact to the applicant.
- PW 19290, Version 0, NEMIS line item 7, described as "Re-alignment of Costs" and valued at -\$7,555,376.00, was applied erroneously. The reason for this correction was not for re-alignment of costs, but, rather, to partially de-obligate funding for PW12958 (New Orleans Center for Educating Adults or NOCEA). NOCEA, an EHP "hold-out," was incorrectly included in the initial obligation. Thus, Version 1 will "zero out" a reduction of \$7,555,376.00 and re-obligate the full value for NOCEA of \$19,684,955.72, as EHP has since approved the recipient scope for this facility.
- As articulated in Version 0, FEMA determined that several facilities considered "Non-Educational Replacements" met replacement requirements. These buildings were designed and used as office and warehouse facilities to support operations for all OPSB schools. Cost estimates for the Almonaster Complex incorrectly included fees related to escalation (Esc), A&E services, or project management. This version will de-obligate \$6,624,895.74 in order to correct this error.
- PW 9701 captured Category E damage to Buildings C and D at McDonough 32 Elementary School. Erroneously, Version 0 did not include repairs to these buildings. Consequently, this version will document eligible funding for 38,150 square feet (SF) of damage to Buildings C and D at McDonough 32, including A&E and project management fees, valued at \$1,859,993.30.

Environmental and Historic Preservation Hold-Outs (EHP Hold-outs)

- During the initial OPSB SSR obligation in August 2010, two buildings were not included as donor facilities because of EHP concerns. As articulated in Version 0, after all EHP concerns were addressed, these facilities would be added to the SSR. The value to add based on assessed damage was agreed to by FEMA Management and the applicant during Version 0 obligation. This version is to add this pre-agreed funding to the SSR. Thus the New Orleans Center for Educating Adults (NOCEA) and the Robert Moton Elementary School will be added to the SSR in Version 1 Revision 1.

Proposed amendments to scope originally approved in Version 0

- **Site 1 - Edward Hynes Elementary School**
The OPSB intends to build a new school at the Edward Hynes Elementary School site. The proposed facility would be an 112,000 square foot elementary school complete with: classrooms, science labs, library/media center, computer labs, arts and music facilities with flexible performance space, a commercial kitchen and cafeteria, a gymnasium, a stage, and office space for administrative and student support services.
- **Site 2 - Phillips/Waters (New High School)**
The OBSP plans to build a new high school at the former conjoined campuses of the Phillips Junior High School and Waters Elementary School. The buildings and facilities for these campuses are demolished and cleared from the site. Near-surface soil contamination identified at this site is undergoing cleanup, which is schedule for completion in August 2012. The site is expected soon to be determined by the Louisiana Department of Environmental Quality (DEQ) to require "no further action at this time" certification. Construction of the New Phillips/Waters Site High School would include a single new 226,800 square foot senior high school (9th through 12th grades) building complex. The school would support comprehensive college preparatory curricula and career technical education, and would feature: classrooms, science labs, a library/media center, computer labs, arts and drama facilities, a full auditorium, a commercial kitchen and cafeteria, practice and competition gymnasiums, as well as office space for administrative and student support services.
- **Site 4 - Sophie B. Wright High School**
The OPSB intends to stabilize the Sophie B. Wright High School for long-term operation and maintenance as an unoccupied facility. Specifically, proposed activities would consist of rehabilitation of the facility to conform to the Americans with Disabilities Act Accessibility Guidelines for Building and Facilities (ADAAG) and, additionally, installation of in-kind flooring, fixtures, and paint. These stabilization efforts would be consistent with stipulations found in the National Park Service Secretary of the Interior Standards. The reopening of the facility as an occupied school would depend on the future demographic needs of the community.
- **Site 17 - Pierre A. Capdau Junior High School**
The OPSB intends to perform stabilization and mothballing procedures for Buildings of the Pierre A. Capdau Junior High School consistent with the stipulations of the National Park Service Secretary of the Interior Standards. Specific proposed measures would include: debris removal and broom cleaning of the facility, installation of a Vandal Protection System (VPS) that would provide passive ventilation and safety monitoring, installation of temporary perimeter fencing, pest control measures, installation of temporary gutters and downspouts, detailing and securing of historic materials, and hazard material testing for contaminants. Hazardous materials would be stabilized or removed from the facilities and the utilities would be disconnected. Monitoring activities would continue throughout the mothball period, duration presently unknown.
- **Site 18 - Alice Harte Elementary School**
The OPSB intends to demolish all existing buildings, drives, and parking areas associated with the existing school campus. Additionally, the applicant plans to build a new 122,979 square foot elementary school at the site which would include: classrooms, science labs, a library/media center, computer labs, arts and music facilities, commercial kitchen and cafeteria, a stage, and office space for administrative and student support services.
Lastly, this REC also covers the applicant's plan to perform emergency in-kind repairs to the damaged roofs of all school campus buildings while plans are being developed for the new school facility.
- **Site 20 - Benjamin Franklin High School**
The OPSB intends to remove the damaged roof at the Benjamin Franklin High School and, additionally, install a new in-kind materials roofing system.
- **Site 23 - McDonogh 35 High School**
The OPSB plans to make repairs at the McDonogh 35 High School. Specifically, the applicant intends to repair the facility's handicap ramp and restrooms and to install handicap platforms that conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG). Restroom work would include installation of in-kind flooring, fixtures, and paint.
- **Site 27 - Warren Easton High School**
The OPSB intends to stabilize the 134,416 square foot Warren Easton High School. Specifically, the proposed scope of work includes the installation of windows, stabilization of the courtyard masonry, and cast stone/mortar repairs. These efforts would be consistent with the stipulations detailed in the National Park Service Secretary of the Interior Standards. The reopening of the facility at a later date would be dependent on the future demographic needs of the community.

- **Site 29 - New Orleans Center for Health Careers (NOCHC)**
The OPSB intends to repair the Priestly High School, located at the New Orleans Center for Health Careers (NOCHC). This REC covers the applicant's proposal to repair the school building's entrance stairs and replace the mechanical controls.
- **Site 32 - Alcee Fortier (Lusher) High School**
The OPSB intends to repair the Alcee Fortier (Lusher) High School. This REC covers the removal and replacement of the main building and the gymnasium roofs.
- **Site 33 - Mary McLeod Bethune Elementary School**
The OPSB intends to repair the Mary McLeod Bethune Elementary School. This REC covers the applicant's plans to stabilize the roof by making in-kind repairs (including installation of flashing, gutters, scupper repairs, and rain diverters) and in-kind repairs and replacement of the cafeteria's first floor flooring.
- **Site 34 - Elementary School at Curran Boulevard Site**
The OPSB intends to build a new kindergarten through eighth grade elementary school at the present site of the Goretta Playground. The proposed facility would consist of a 100,000 square foot building complex which would include: classrooms, science labs, a library/media center, computer labs, arts and music facilities, student performance space/auditorium, a commercial kitchen and cafeteria, a stage, and office space for administrative/student support services.
- **Site 35 - Timbers Office Building**
The OPSB intends to repair the Timbers Office Building. This REC covers repairs to the elevators, including removal of water from the elevator pit.
- **Site 36 - Ben Franklin Elementary School**
The OPSB intends to repair the Ben Franklin Elementary School. This REC covers the applicant intentions to remove and replace the facility's roof.
- **Site 37 - Robert Moton Elementary School**
The OPSB intends to repair the Robert Moton Elementary School. Specific repair measures will be addressed in later versions of this PW.
- **Site 38 - New Orleans Center for Adult Education**
The OPSB intends to replace the NOCEA. Specific repair measures will be addressed in later versions of this PW.

Approval to Utilize Advisory Base Flood Elevation Maps as Best Available Data

This REC documents FEMA's approval to build the facilities listed utilizing the Advisory Base Flood Elevation (ABFE) maps as the "Best Available Data".

1. Phillips Junior High School (former site of Edward H. Phillips Junior High School) – 1200 Senate Street, New Orleans LA. Approved per FEMA Mitigation Division Director, Region 6 dated July 20, 2011.
2. Lake Forest Montessori Elementary School (former site of Lake Forest Montessori Elementary School) – 8258 Lake Forest Boulevard, New Orleans, LA. Approved per FEMA Mitigation Division Director, Region 6 dated July 20, 2011.
3. New School located at 5300 Berkley Dive, New Orleans, LA (Proposed Lat/Long 29.91880, -89.9983. Approved per FEMA Mitigation Division Director, Region 6 dated January 4, 2012.

A&E fees related to the Applicant's Revised Master Plan

Lastly, in accordance with 44 CFR 13.36 and 13.37, this REC covers certain architectural and engineering (A&E) fees incurred during the formulation of the Applicant's Revised Master Plan, including fees associated with obtaining leadership in Energy and Environmental Design (LEED) building certification. The original Master Plan, dated November 6, 2008, reflects planned new and renovated school construction partitioned in six phases spanning a period of several years. After considering community feedback and demographic changes, the applicant's revised Master Plan reflects only two phases by: moving forward some schools previously planned for Phase 3 in the original Master Plan, adding facilities not previously identified, and changing the scope for several proposed sites. For a listing of schools related to the A&E fees covered in this REC see Attachment 43, pages 16-18, of PW 19290.

National Environmental Policy Act (NEPA) Determination

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

Comments: Based on documentation provided by the sub-applicant, FEMA's Environmental / Historic Preservation Section and Alternatives Arrangement team has determined that Orleans Parish has provided sufficient documentation to demonstrate a satisfactory public involvement process for rebuilding schools in Orleans Parish, LA. Any changes to the scope of work will require re-submission through the state to FEMA and requires re-evaluation for compliance with national environmental policies. The applicant is responsible for obtaining and complying with all local, state and federal permits. Non-compliance with this requirement may jeopardize receipt of federal funds.

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

Reviewer and Approvals

FEMA Environmental Reviewer:

Name: John Renne, Environmental Protection Specialist, FEMA LRO

Signature John Renne Date 8/23/2012

FEMA Environmental Liaison Officer or Delegated Approving Official:

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

Signature Tiffany Spann-Winfield Date 8/23/2012

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**)
- Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (date of agreement and allowance number in comments) - **Review Concluded**
- Applicable executed Programmatic Agreement (date in comments). 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: Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. Section 106 requires Federal agencies to identify historic properties that may be affected by the proposed action. Historic properties are districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering and culture that are listed in or determined eligible for listing in the National Register of Historic Places. If adverse effects on historic, archaeological or cultural properties are identified, agencies must consider alternatives that may avoid or minimize the adverse effect. If no such alternatives are determined to be feasible the Federal agency must identify measures that will mitigate the adverse effect to historic properties.

The Section 106 review of the proposed demolition, construction, repair, or rehabilitation for sites in Version 1 of this Project Worksheet (Undertaking) was conducted in accordance with the Secondary Programmatic Agreement among Federal Emergency Management Agency, State of Louisiana Division of Administration, Office of Community Development, Louisiana State Historic Preservation Officer, Advisory Council on Historic Preservation, Louisiana Department of Education through its Recovery School District (RSD), and Orleans Parish School Board (OPSB) Regarding Implementation of School Facilities Master Plan for Orleans Parish dated August 17, 2009 (RSD/OPSB 2PA). The following comments reflect FEMA’s Section 106 review of the proposed construction of new school facilities on recipient sites and the reasonably foreseeable effects of those undertakings, including the contributing projects; “brick and mortar”, “non-brick and mortar”, “non-educational” replacement buildings, and “repair-open” buildings from which the funding for the construction of the recipient schools will be drawn from. The scope of work for the contributing projects for this PW is referred to as “donor scope” and fall into one of three categories: continued use, demolish, or safe and secure. The donor scope for each of these projects is noted in Attachment 45. Any change to the scope of work is reflected in the site sheets. FEMA has documented the NHPA review of these projects in their contributing PW; the review and conditions in the de-obligated contributing PWs are applicable. Any change to the

approved scope of work will require reevaluation under Section 106. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.

For schools in continued use, FEMA has documented the review of these repairs in their contributing PW. In accordance with Stipulation I.E of the RSD/OPSB 2PA, FEMA has no additional Section 106 responsibilities for these previously reviewed undertakings unless RSD and/or OPSB proposed changes to the scope of work that FEMA determines may cause additional effects to historic properties. The review comments and conditions in the contributing PWs are applicable. Any work not reviewed as part of this PW or in a contributing PW is either submitted as "recipient scope" to this PW or will be submitted in a future version to this PW.

For schools with the donor scope of demolition and/or safe and secure, FEMA has determined that no historic properties are affected by the demolition of and/or the implementation of actions to make the buildings safe and secure. The individual reviews for these projects are both documented in the contributing PW and attached to this PW and include the following information: review comment and/or appropriate SHPO/Tribal consultation documents.

In accordance with Stipulation IX.A.2 of the RSD/OPSB 2PA, FEMA has determined that there is an Adverse Effect to Historic Properties as a result of the donor scope of work in Version 1 for Site 38. In accordance with Stipulation IX.A.2, FEMA recommended that the adverse effects resulting from the undertaking will be adequately mitigated through implementation of Standard Mitigation Measures. To remain in compliance with Section 106 of the NHPA and the RSD/OPSB 2PA, the mitigation measures, detailed within the attached Standard Mitigation Measure Agreement (SMMA) must be carried out. The review comments and SMMA is attached to PW 19290 Version 2.

In accordance with Stipulation VII.E (2) of the RSD/OPSB 2PA, the recipient scopes of work for Sites 1 and 2 have been previously reviewed by FEMA in Version 0 dated 8/20/2010 and remain valid. The recipient scopes of work in Version 1 are cost adjustments only. No further review is required unless there are changes to the scopes of work.

In accordance with Stipulation VII.E (2) of the RSD/OPSB 2PA, FEMA has determined that No Historic Properties are Affected by the recipient scopes of work in Version 1 for Sites 18 and 34. The review comments and associated SHPO/Tribal consultation for these undertakings is attached to PW 19290 Version 2.

In accordance with Stipulation VI.A of the RSD/OPSB 2PA, FEMA has determined that the recipient scopes of work in Version 1 for Sites 4, 20, 23, 29, 32, 35, and 36 meet the criteria in the Programmatic Allowances in Appendix C. In accordance with the RSD/OPSB 2PA, FEMA is not required to consult with the SHPO where work performed meets these criteria. The review comments for the individual sites are attached to PW 19290 Version 2.

In accordance with Stipulation VIII.C of the RSD/OPSB 2PA, FEMA has determined that there is No Adverse Effect to historic properties as a result of recipient scope of work (flooring) in Version 1 for Site 33.

Also, in accordance with Stipulation VI.A of the RSD/OPSB 2PA, FEMA has determined that the recipient scope of work in Version 1 (roof repairs) for Site 33 meets the criteria in the Programmatic Allowances in Appendix C. In accordance with the RSD/OPSB 2PA, FEMA is not required to consult with the SHPO where work performed meets these criteria.

The review comments and SHPO/Tribal consultation for these undertakings is attached to PW 19290 Version 2.

In accordance with Stipulation VIII.C of the RSD/OPSB 2PA, FEMA has determined that there is No Adverse Effect to historic properties with conditions as a result of the recipient scopes of work in Version 1 for Sites 17 and 27. The review comments and SHPO/Tribal consultation for these undertakings is attached to PW 19166. The conditions for sites 17 and 27 are written in the conditions section of PW 19290 and the REC.

The non-destructive planning activities, i.e. Project Management and Architectural and Engineering (A&E) design fees for all schools, including those listed in the revised Master Plan titled "Revised Amendments: October 2011" (Attachment 43), meets the criteria in the RSD/OPSB 2PA, Appendix C: Programmatic Allowances, Item VII.D. In accordance with this 2PA, FEMA is not required to consult with the SHPO where work performed meets these criteria.

Correspondence/Consultation/References: Victoria Byrd, Historic Preservation Special

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 sites are 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: Joohn Renne, Environmental Protection Specialist

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 sites are not within a CBRA zone.
Correspondence/Consultation/References: Louisiana Coastal Barrier Resource System Maps referenced May 30, 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 sites.
Correspondence/Consultation/References: John Renne, Environmental Protection Specialist

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. See conditions.
Correspondence/Consultation/References: Louisiana Coastal Zone maps queried May 30, 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 May 30, 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 Conditions.

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

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 sites are located within an existing urban and developed area and FPPA is precluded.

Correspondence/Consultation/References: John Renne, Environmental Protection Specialist

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 sites are in 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.

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: Louisiana Map (<http://www.lamap.doa.louisiana.gov/>) referenced May 30, 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 sites are 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>

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.

M. Other Relevant Laws and Environmental Regulations

Formosan Termite Initiative Act

In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana Parish of Orleans is under quarantine. The movement of wood or cellulose material, temporary housing or architectural components (e.g. beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the Commissioner of the Louisiana Department of Agriculture and forestry or his designee(s).

Toxic Substances Control Act

This project involves the demolition, renovation, refurbishing of a public child-occupied structure and/or facility constructed prior to 1978 that may contain surfaces coated with lead-based paint (LBP).

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: Version 2 is a revision of a previously approved series of alternate or improved projects for ABFE flood elevations, addition of EHP Holdouts, and other cost revisions to the Master Plan for this single settlement request PW. By memoranda with various dates between July 2011 and May 16, 2012 (attached to this REC), Frank Pagano, Mitigation Division Director of FEMA Region 6 to John Connolly, Senior Public Assistance Advisor, Louisiana Recovery Office, FEMA Region VI determined that the 2008 Preliminary Digital Flood Insurance Rate Map (DFIRM) Elevation is not required; however, the applicant must coordinate all reconstruction activities with the local floodplain manager and remain in compliance with formally adopted local floodplain ordinances. As per 44 CFR 9.11 (D)(9), mitigation or minimization standards must be applied where possible. The replacement of building contents, materials and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the community established base flood elevation. Critical action facilities, as defined under 44 CFR 9.4, need to be wet or dry-proofed, elevated, or relocated to or above the 0.2% annual chance (500-year) flood elevation.

Correspondence/Consultation/References: John Renne, CFM, Floodplain Specialist

B. E.O. 11990 - Wetlands

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

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

Correspondence/Consultation/References: U.S. FWS NWI map accessed on-line May 30, 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: OPSB has provided sufficient documentation to demonstrate satisfactory public involvement process throughout the formulation of the "Master Plan", "A Blueprint: Building 21st Century Schools for New Orleans".

Correspondence/Consultation/References:

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. 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.
2. In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the Louisiana Parish of Orleans- is under quarantine. The movement of wood or cellulose material, temporary housing or architectural components (e.g. beams, doors and other wood salvaged from a structure) may not leave the quarantined parishes without written authorization from the Commissioner of the Louisiana Department of Agriculture and forestry or his designee(s).
3. Per Clean Air Act National Emission Standards for Hazardous Air Pollutant Regulations 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. ACM/PACM must be handled in accordance with local, state and federal regulations and disposed of at approved facilities that accept ACM. Demolition activity notification must be sent to the LDEQ before work begins.
4. This project involves the renovation of a public structure that may contain surfaces coated with lead-based paint (LBP). The applicant is responsible complying with all local, state, and federal laws and ensuring that project activities are coordinated with the Louisiana Department of Environmental Quality for abatement activities.

5. Applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) 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 permit(s) should be documented to the local floodplain administrator and copies provided to LA GOHSEP and FEMA as part of the permanent project files. In compliance with EO11988, an 8-Step process showing considered alternatives was completed and is attached or on file. Replacement of the building must be elevated to or above the base flood elevation (BFE) per the maps. As Per 44 CFR 9.11 (D) (9), mitigation or minimization standards must be applied where possible. The replacement of building contents, materials and equipment should be, where possible, wet or dry flood-proofed, elevated, or relocated to or above the BFE.
6. This project is located within the Louisiana Coastal Management Zone. LA Department of Natural Resources (DNR) has determined that receipt of federal assistance is consistent with the Louisiana Coastal Resource Program. Projects within the coastal zone may still require a coastal use permit or other authorization from DNR.
7. If required by LDEQ, the applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution prevention plan (SWPPP) to prevent sediment and construction material transport from the project site. A Louisiana Pollution Discharge Elimination System (LAPDES) permit will be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. All coordination pertaining to these activities should be documented and copies forwarded to the State and FEMA as part of the permanent project files.
8. 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 application will not proceed with work until FEMA HP completes consultation with the SHPO.
9. If human bone or unmarked grave(s) are present with 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.
10. RSD will notify FEMA, through the alternate project amendment process established by FEMA PA and GOHSEP, of any change to the approved SOW. Any change to the approved SOW will require reevaluation under the Section 106 process.
11. In accordance with applicable local, state, and federal regulations, the applicant is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities.

Environmental Conditions by site:

- **Site 37- Robert Moton Elementary School**

12. The proposed project site overlies a known "Superfund Site." Soils beneath the existing school building are known to contain elevated concentrations of hazardous materials. However, the proposed action includes no ground-disturbing activities. Any change in scope would require reevaluation by FEMA EHP to ensure compliance with all relevant environmental legislation and Section 106 of the NHPA.

Historic Preservation Conditions by site:

Site 17, Pierre E. Capdau High School

13. To remain in compliance with Section 106 of the NHPA and the RSD/OPSB 2PA, OPSB must complete the conditions summarized below and detailed in the attached FEMA consultation letter dated April 12, 2011 and SHPO response dated May 12, 2011.
 - 1) Record the building's character defining features (interior and exterior) with digital photographs.
 - 2) Provide Security and Maintenance Schedule; Conditions Survey; and Monitoring Report.
 - 3) Submit comprehensive marketing plan if building is to be auctioned prior to the close out of the Project Worksheet.
 - 4) Perform all work in accordance with the National Park Service's Preservation Brief 31 and clarifying comments regarding mothballing dated May 17, 2010.
 - 5) FEMA's SOI qualified staff will determine if the scope of work has substantially arrested the deterioration of the building and review any changes to the proposed use of the building. If the change in proposed use and/or condition of the building has the potential to cause adverse effects to historic properties, FEMA will consult with SHPO at that time.

Site 23, McDonogh High School

14. To remain in compliance with Section 106 of the NHPA and the RSD/OPSB 2PA, OPSB must complete the following condition:
 - 1) Any fill or borrow material used must be sourced from areas that do not contain any buried cultural materials (e.g. brick foundations, prehistoric Indian artifacts, human burials, and the like).

Site 27, Warren Easton High School

15. To remain in compliance with Section 106 of the NHPA and the RSD/OPSB 2PA, OPSB must complete the following condition detailed in the attached FEMA consultation letters dated August 10, 2010 and October 18, 2011. Treatment measures for brick repair above the windows initiated after June 3, 2011 will be completed in accordance with the memorandum dated June 3, 2011 from C. Spencer Smith, AIA.

Site 38, NOCEA

16. To remain in compliance with Section 106 of the NHPA and the RSD/OPSB 2PA the mitigation measures IX.A.2 (a) (digital recordation; search for plans; stabilize and copy plans if available); and IX.A.2 (b) (written recordation) detailed within the attached SMMA dated October 25, 2010 must be carried out.