

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007

See 44 Code of Federal Regulation Part 10

Project Name/Number: Sophie B. Wright High School Site Work and Demolition
AI: 2028
Associated PW: 19166
FIPS: 033-UA9M2-00
DR-1603-LA

Applicant Name: Recovery School District (RSD)

Project Locations: 1426 Napoleon Avenue, New Orleans, LA 70115
Latitude/Longitude: 29.925468, -90.102669

Project Description:

On August 29, 2005, Hurricane Katrina and its aftermath caused wind and flood damage to multiple RSD (the Applicant) facilities. Per RSD's and Orleans Parish School Board's (OPSB) "School Facilities Master Plan," these facilities have been approved for repair or replacement. Furthermore, the applicant has been granted a Single Settlement Request (SSR, Project Worksheet 19166) to utilize FEMA grant funding for the reconstruction of the New Orleans Public Schools in accordance with this master plan. This EHP Record of Environmental Consideration (REC) addresses the Applicant's request to amend to the SSR for the renovation of Sophie B. Wright High School at 1426 Napoleon Avenue, New Orleans, LA 70115.

The Department of Homeland Security (DHS) and the White House Council on Environmental Quality (CEQ) have established Alternative Arrangements (AA) 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 (NOMA). AA will enable the Federal Emergency Management Agency (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 proposed project meets AA qualifications for the Reconstruction of Critical Infrastructure in the NOMA. For more information visit www.fema.gov/plan/ehp/noma/index.shtm

FEMA's Environmental and Historic Preservation (EHP) Department at the Louisiana Recovery Office (LRO) has determined through its Special Considerations review that the RSD's public involvement process meets the requirements of the NEPA and AA. Those requirements comply with the programmatic agreement between the CEQ, DHS, 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 AA 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

This REC specifically addresses the applicant's proposal to perform archeological site survey work, selective demolition, demolition of the existing Boiler Room, and test pile work on the site of Sophie B. Wright High School. Sophie B. Wright High School, built in 1912, is a 3-story, 94,164 square foot structure located at 1426 Napoleon Avenue, New Orleans, LA. Work performed on the site would include the following:

- Archeological Site Survey Work – three (3) 5 x 5 areas within the school site would be opened for archeological site survey work.
- Selective Demolition Related to Hazardous Materials Remediation – abatement and removal of hazardous materials (asbestos, transite pipe, lead based paint coatings) utilizing the proper removal and transportation procedures per the Hazardous Materials Removal Work Plan.

- Boiler Room Demolition – demolish and remove the existing one-story brick boiler room, slab, foundation, footings, metal chimney flue stack, and pile caps. Bricks would be salvaged for future reuse.
- Test Pile Work – Two (2) Auger Cast piles would be placed and tested in the rear yard, a temporary fence would be constructed around the test pile areas, and all asphalt, grass, and fencing would be replaced after data is collected.

National Environmental Policy Act (NEPA) Determination

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

Comments: Based on documentation provided by the applicant, FEMA’s Environmental/Historic Preservation Section and Alternatives Arrangement team determined that the Recovery School District and the Orleans Parish School Board 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. M. Myers, Environmental Protection Specialist

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

Reviewer and Approvals

FEMA Environmental Reviewer:

Name: Megan Myers, Environmental Protection Specialist, FEMA LRO

Signature Megan Myers Date 8-14-2013

FEMA Environmental Liaison Officer or Delegated Approving Official:

Name: LeSchina Holmes, Lead Environmental Protection Specialist, FEMA LRO

Signature LeSchina Holmes Date 08/14/2013

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 dated August 17, 2009 - **Review Concluded**
- Applicable executed Programmatic Agreement dated August 17, 2009 (RSD/OPSB 2PA). 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: The historic review, for the demolition of the Boiler Room; Test Piles and Selective Demolition related to Hazardous Materials Remediation at Sophie B. Wright High School, 1426 Napoleon Avenue (Undertaking) was conducted in accordance with FEMA's Secondary Programmatic Agreement Regarding Implementation of School Facilities Master Plan for Orleans Parish, dated August 17, 2009 (RSD/OPSB 2PA). The Sophie B. Wright main building is a contributing resource to the Uptown New Orleans Historic District, which is listed in the National Register of Historic Places in 1985 under Criterion C. In accordance with 36 CFR 800.5, FEMA has determined that the Undertaking will adversely affect historic properties in a letter dated June 20, 2013. In accordance with Stipulation IX.A.2 of the RSD/OPSB 2PA, FEMA recommended that the adverse effects resulting from the undertaking will be adequately mitigated through implementation of Standard Mitigation Measures (A and C). SHPO concurred with FEMA's proposal to address the proposed adverse effect through the Standard Mitigation Measures in a letter dated July 3, 2013 and none of the RSD/OPSB 2PA Signatories, Invited Signatories, or Tribes objected within the time frames outlined in the RSD/OPSB 2PA. To remain in compliance with Section 106 of the NHPA and the RSD/OPSB 2PA, the mitigation measures, detailed within the attached recommendation and summarized in the NHPA conditions section of this REC, must be carried out. 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. See Conditions.

Correspondence/Consultation/References: Victoria Byrd, Historic Preservation Specialist; Mike Wilder, Archeology 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 disturbed area. No listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action. The scope of work for this project does not require U.S. Fish and Wildlife Service (USFWS) consultation as per FEMA/USFWS disaster consultation letter dated September 15, 2005. Review concluded.

Correspondence/Consultation/References: USFWS emergency consultation provisions determined in letters dated September 15, 2005 for Hurricane Katrina. See also ESA and MBTA Project Review tool (www.fws.gov/lafayette) accessed 7/1/2013. M. Myers, 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 is not within a CBRA zone.

Correspondence/Consultation/References: Louisiana CBRS Maps referenced 7/29/2013, M. Myers, Environmental Protection Specialist

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.nepassisttool.epa.gov/nepamap.aspx>) queried on 7/29/2013. M. Myers, 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 Zone. See conditions

Correspondence/Consultation/References: Louisiana Coastal Zone maps queried 7/29/2013. M. Myers, Environmental Protection Specialist

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: NEPAAssist Map (<http://www.nepassisttool.epa.gov/nepamap.aspx>) queried on 7/29/2013, M. Myers, Environmental Protection Specialist

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: M. Myers, Environmental Protection Specialist

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 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 7/29/2013. M. Myers, 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 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. M. Myers, Environmental Protection Specialist

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: NEPAssist Map (<http://www.nepassistool.epa.gov/nepamap.aspx>) referenced 7/29/2013, M. Myers, Environmental Protection Specialist

K. Wild and Scenic Rivers Act

- Project is not along and does not affect Wild or Scenic River (WSR) - **(Review Concluded)**
- Project is along or affects WSR
 - Project adversely affects WSR as determined by NPS/USFS. **FEMA cannot fund the action.**
(NPS/USFS/USFWS/BLM consultation on file) **(Review Concluded)**
 - Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

Comments: Project is not along and does not affect Wild or Scenic River (WSR).
Correspondence/Consultation/References: National Wild and Scenic Rivers (<http://www.rivers.gov>) referenced 7/29/2013, M. Myers, Environmental Protection Specialist

L. Resource Conservation and Recovery Act

Comments: 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 must 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. See conditions.
Correspondence/Consultation/References: M. Myers, Environmental Protection Specialist

M. Other Relevant Laws and Environmental Regulations

Comments: 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. See conditions.
Correspondence/Consultation/References: M. Myers, Environmental Protection Specialist

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: The Parish of Orleans enrolled in the National Flood Insurance Program (NFIP) on 3/13/1970. As per revised Preliminary Digital Flood Insurance Rate Map Panel Number 22071C0236F dated 11/9/2012, the site is located within shaded Zone X: areas protected by levees from the 1% annual chance flood. Project is the substantial repair of facility. See conditions.
Correspondence/consultation/references: J. 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: A review of the National Wetland Inventory (NWI) online mapper for the site indicates that the area is not located within a designated wetland.
Correspondence/Consultation/References: U.S. FWS NWI map accessed at NEPAAssist Map (<http://www.nepassistool.epa.gov/nepamap.aspx>) 7/29/2013. M. Myers, Environmental Protection Specialist

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 70115 are: 34.8% White, 60.4% Black, and 5.3% Hispanic. The median household income in 2012 was \$37,325 and 25.7 % of persons are below poverty level. A comprehensive master plan has been prepared for Orleans Parish, *The School Facilities Master Plan for Orleans Parish (Master Plan)*, which supports OPSB's compliance with NEPA and Executive Order 12898 (EO) considering Environmental Justice (EJ). This Master Plan identified effects to low-income and minority populations and potential effects to Indian Tribes (See Attached Master Plan document detailing the NEPA EJ efforts). RSD and OPSB admit students regardless of socioeconomic status, race, color, creed, or origin, and provide equal access to resources for all schools and students.
Correspondence/Consultation/References: *Amended School Facilities Master Plan for Orleans Parish, February 23, 2012*, Megan Myers, Environmental Protection Specialist

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. This project is located within the Louisiana Coastal Zone. The applicant is responsible for coordinating with and obtaining any required permit(s) from the Louisiana Department of Natural Resources' (LDNR) Coastal Management Division (CMD) prior to initiating work. Projects may be coordinated by contacting LDNR at 1-800-267-4019. All coordination activities should be documented and copies forwarded to GOHSEP and FEMA for inclusion in the permanent project files.
2. If any asbestos containing materials, lead based paint and/or other hazardous materials are found during remediation or repair activities, the applicant must 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.
3. Unusable equipment, debris and material must 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 must 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.
4. 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.
5. Per 44 CFR 9.11(d)(3), there shall be no new construction or substantial improvement/repair of structures unless the lowest floor of the structure (including the basement) is at or above the level of the base flood. Furthermore, per 44 CFR 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and applicant

compliance with any conditions should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11(d)(9), for the replacement of building contents, materials and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials and equipment outside or above the base floodplain.

6. 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 (24) hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two (72) hours of the discovery.
7. If during the course of work, archaeological artifacts (prehistoric or historic) are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO.
8. (a) Standard Mitigation Measure: Recordation RSD will ensure that two (2) sets of recordation materials are prepared. These sets will include digital photographs of exterior and interior. RSD will ensure that digital photographs are taken of all character defining features on the revised 6/3/13 Character Defining Features document. This mitigation measure will resolve adverse effects in the first phase as well as those anticipated in the second phase of the project. The photographs will be consistent with the standards set forth in Appendix E of the RSD/OPSB 2PA. Two (2) sets of recordation materials will include archival disks containing all of the digital images and a photographic inventory log, along with 8-in. x 10-in. archival prints of selected features listed here: A minimum of sixteen (16) photographs will be taken and printed of the following character defining features.
 - o Four (4) oblique views to include one of each corner of Main Building exterior o Four (4) elevation views of east (main facade), north, south and west sides of Main Building exterior
 - o One (1) representative corridor view of the second or third floor showing courtyard windows and corridor doors/transoms
 - o One (1) detail view of tile floor in Room 308
 - o One (1) oblique view of the boiler room with the school in the background showing courtyard windows and corridor from interior of school
 - o Two (2) oblique views of inside of boiler room
 - o Three (3) elevations of boiler room rear elevation from the courtyard exterior
- (b) RSD will provide FEMA with two (2) copies of the photographic recordation prior to printing the recordation materials on archival paper. FEMA will forward a copy of the draft recordation materials to SHPO for a 15-day review. FEMA and SHPO will review the draft recordation materials to determine if they are responsive to the scope of work contained in this letter. Digital photographs will be labeled using the guidelines in Appendix E of the RSD/OPSB 2PA and will be printed on the front of the photograph as per the currently agreed upon format. RSD will prepare the two (2) sets of the recordation materials after FEMA has notified RSD that the two draft recordation materials fulfill the scope of work contained in this letter, and will deliver the two (2) sets to FEMA. FEMA shall forward one (1) set to SHPO. FEMA will ensure that one (1) set of recordation materials are submitted to the University of New Orleans, Earl K. Long Library, Louisiana Special Collections, New Orleans.
- (c) Standard Mitigation Measure: Treatment of Character Defining Features
In accordance with Stipulation IX.A.2(c), FEMA will may modify the proposed design to retain certain, but not all, character-defining features into the proposed design. The retained features will be repaired or rehabilitated in conformance with the SOI Standards. Review of the proposed design of interior renovations and the new gymnasium will be conducted under the second phase of this project and will commence upon FEMA's receipt of design plans.

Recovery School District Update to the Public Involvement Plan (PIP) in Support of NEPA Environmental Justice Compliance

Identifying & Coordinating with Existing Minority and Low Income Populations

Amendments to the *School Facilities Master Plan for Orleans Parish* (Master Plan) will affect low-income and minority populations and potentially Indian Tribes. The majority of students and their families that participate in the K-12 public education system are people of color, of whom between 74% (OPSB) and 95% (RSD) are African American. Between 66% (OPSB) and 91% (RSD) of students are from low-income households based and free and reduced lunch rate eligibility. (See school data synopsis in Appendix 9.)

Outreach included meeting notices to the following types of groups:

- Community-based and social service organizations
- Education organizations
- Religious organizations
- Disadvantaged business associations
- Neighborhood and tenants' groups
- Federal, State and local government
- Universities and colleges, including New Orleans' Historically Black College (Xavier)
- Local school communities
- The public library

Interested parties who participated in prior capital project related meetings were contacted via email. Meeting schedules with logistics and maps were posted in local neighborhoods surrounding existing or proposed school locations. Prior to public meetings, meetings were held with local government and community groups to provide advance information about the roll out of the proposed Summer 2011 Amendments in order to cultivate public participation.

Meaningful Public Outreach & Information

It was critically important that the public comment, particularly from those affected by the proposed Amendments to the Master Plan, be meaningfully solicited and considered in the Amendments to the Master Plan. Significant public participation in the development of the 2008 Master Plan improved its quality and comprehensiveness and aided in the implementation of Phase I Schools in New Orleans' post-Katrina recovery. It was in this same spirit that the proposed 2011 Amendments were vetted.

RSD and OPSB jointly held 9 public meetings concerning the proposed Amendments to the Master Plan. Meetings were held at schools, community organizations and local colleges. (See Summer 2011 proposed Amendments in Appendix 6.) The first meeting on July 9, 2011 introduced the proposed (Summer 2011) Amendments to the Master Plan to a City-wide audience. (See City-wide public comments and sign-in sheets in Appendix 10.)

Materials distributed to the public described the actions proposed in the Master Plan Amendments. In addition to comparing the 2008 Master Plan to the proposed Amendments along with levels of recommended funding, the materials included a listing of those sites that would be used for campus swing space or future use as well as land bank/potential opportunity sites. (See proposed Amendments in Appendix 6 and information handbook disseminated at public meetings in Appendix 8.)

Demographic data was presented along with GIS maps of current and proposed school locations.

The Amendments to Master Plan ensured that cumulative impacts were clearly presented to the community, rather than reviewing impacts only by neighborhood.

Attendance at community meetings was largely robust as were discussions about the capital plan's role in supporting the public education goals of the public schools system as well as the need for parity in the quality of facilities available to all children.

Seven meetings were held, one in each of the City Council Districts, between July 14, 2011 and July 28, 2011. The public meetings reviewed the materials in the proposed Summer 2011 Amendments, and public comment was taken. At District-specific meetings, attendees broke out into discussion groups and provided feedback about the Amendments. (See District-specific public comments, break-out session feedback and sign-in sheets in Appendix 11.)

In addition to public comment collected via meetings, feedback was collected on the *rebuildingnolaschools.wordpress.com* website. Twelve comments were received. In addition, a letter was sent to RSD and OPSB via certified mail from eight community-based and education organizations providing extensive feedback about the proposed Amendments. (See comments in Appendix 12.)

Technical Improvements to the Proposed Plan

In addition to proposed Amendments to the Master Plan on facilities to be included or excluded and the nature of and investments in the construction work to be performed, the Master Plan involved the review and incorporation of best practices and cost efficiencies in the construction of New Orleans Public Schools in the Master Plan's *Education Specifications and Performance Standards*. Three technical areas were considered and peer-review panels were convened to provide expert analysis and recommendations on optimizing school construction. The areas included (1) Education which focused on school programming, (2) Information Technology (IT) Systems, and (3) Heating, Ventilating and Air-Conditioning (HVAC) Systems. (See final recommendation reports and meeting minutes for each of the committee technical areas in Appendices 3-5, respectively.)

Treatment of public Feedback

The feedback on the Summer 2011 proposed Master Plan Amendments was reviewed in detail, and as a result, substantial changes were captured in the proposed October 2011 Amendments to the Master Plan which replaced the Summer 2011 proposal. The changes that were made responded to the community's request to ensure that available FEMA and CDBG resources be augmented with other funding streams to improve *all schools* across the New Orleans Public Schools portfolio in order to bring improvements to each child, rather than repair or rebuild those in only the most serious condition, and to retain more of the existing New Orleans schools, rather than relocating schools closer to children based on the City's repopulation.

The final meeting was City-wide and held on October 13, 2011 and reflected the feedback from public comment. The October 2011 Amendments were received by the community as highly responsive to concerns related to the Summer 2011 Amendments proposal.

Authorization of Amendments to the Master Plan

The October 2011 Amendments to the Master Plan were passed by the Orleans Parish School Board (OPSB) and the Louisiana Board of Elementary & Secondary Education (BESE) in October 2011 and included the approval of recommendations from the three technical peer-review committees on Education programming, IT and HVAC systems.

RECOVERY SCHOOL DISTRICT
Sophie B. Wright High School
FEMA Disaster 1603-DR-LA

Executive Order 11988 - FLOODPLAIN MANAGEMENT
Executive Order 11990 - WETLAND PROTECTION

8-STEP DECISION MAKING PROCESS

Date: 8/7/2013

Prepared By: John D. Renne' (CTR), CFM, Floodplain Specialist

Project: On August 29, 2005, Hurricane Katrina and its aftermath caused wind and flood damages to multiple Recovery School District (RSD, the Applicant) facilities. Per the RSD's and Orleans Parish School Board (OPSB) "School Facilities Master Plan," these facilities have been approved for repair or replacement. Furthermore, the applicant has been granted a Single Settlement Request (SSR, Project Worksheet 19166) to utilize FEMA grant funding for the reconstruction of the New Orleans Public Schools in accordance with this master plan. This EHP Record of Environmental Consideration (REC) addresses the Applicant's request for an amendment to the SSR for FEMA grant funding for selective demolition, renovation, and new construction at Sophie B. Wright High School at the proposed site located at 1426 Napoleon Ave., New Orleans, LA 70115.

The applicant has submitted an application for an Alternate Project requesting approval to renovate a permanent school facility with the function and capacity to serve high school students. A scope of work narrative has been provided to FEMA Environmental and Historic Preservation as part of the application package (attached herein). Final plans are under development and will be provided to FEMA at a later date.

This project must be conducted in accordance with conditions for federal actions in the floodplain and/or wetlands as set forth in presidential Executive Order (EO) 11988, *Floodplains* and presidential Executive Order 11990, *Wetlands* and the implementing regulation found at 44 Code of Federal Regulations (CFR) Part 9, *Floodplain Management and Protection of Wetlands*. These regulations apply to all direct and indirect Agency actions which have the potential to affect floodplains or wetlands or their occupants, or which are subject to potential harm by location in floodplains.

Public Assistance grant funded projects carried out in the floodplain or affecting the floodplain must be coordinated with the local floodplain administrator for a floodplain development permit prior to the undertaking. The action must be carried out in compliance with relevant, applicable, and required local codes and standards, thereby reducing the risk of future flood loss, minimize the impacts of floods on safety, health, and welfare, and preserving and restoring beneficial floodplain values as required by Executive Order 11988.

Restoration projects conducted with Public Assistance (PA) grant funds must be carried out in accordance with the local floodplain management plan and ordinance and shall utilize the current locally adopted digital Flood Insurance Rate Map (FIRM), Advisory Base Flood Elevation (ABFE) map, or draft Preliminary FIRM as the "best available data" as a minimum standard. Per 44 CFR 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program.

STEP 1 Determine whether the proposed actions are located in a wetland and/or the 100-year floodplain (500-year floodplain for critical actions [44 CFR 9.4]), or whether they have the potential to affect or be affected by a floodplain or a wetland (see 44 CFR 9.7).

The project is located in relation to floodplains as mapped by:

Latitude: 29.925468 **Longitude** -90.102669
1426 Napoleon Avenue, New Orleans, LA 70115

Revised Preliminary DFIRM Panel (November 9, 2012):

22 071C 0236 F **Flood Zone:** Shaded "X", Levee Protected from Base Flood
Base Flood Elevation: Not Applicable

The project is located in a wetland as identified by:

STEP 2 Notify the public at the earliest possible time of the intent to carry out an action in a floodplain or wetland, and involve the affected and interested public in the decision making process (see 44 CFR 9.8).

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Notice will be or has been provided by:

In general, FEMA has an obligation to provide adequate information to enable the public meaningful input on the decision for all actions having the potential to affect or be affected by floodplains or wetlands that it proposes. FEMA shall provide the public with adequate information and opportunity for review and comment at the earliest possible time and throughout the decision-making process; and upon completion of this process, provide the public with an accounting of its final decision (see 44 CFR §9.12). A Cumulative Initial Public Notice was published statewide 11/7/2005-11/9/2005. Additional public notice shall be provided as required by the Executive Order.

STEP 3 Identify and evaluate practicable alternatives to locating the proposed action in a floodplain or wetland (including alternative sites, actions and the "no action" option) [see 44 CFR 9.9]. If a practicable alternative exists outside the floodplain or wetland, FEMA must locate the action at the alternative site.

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Alternatives identified as described below:

The school facilities provide functions to serve the local community, which depends on the availability of appropriate resources and facilities to meet its needs effectively. In order to meet these needs it is imperative that the facility be located such that reasonable access and coverage is provided to all areas served. In order meet this demand, the school facilities must be located centrally to the student population served.

Alternative 1: No Action – With the no action alternative, there would be no repair or replacement of the damaged facilities. No action would leave the community without the function of the damaged facilities. Additionally, this would leave the damaged facility and its environs in an unsafe condition, which would represent a safety hazard to the public and nearby properties. This alternative has been determined not practicable by the applicant and GOHSEP.

Alternative 2 (Proposed Alternative): - Locate School in the Area Protected from the Base Flood by Levee – This alternative would repair and replace facilities in the proposed location in the area protected from the 1% annual chance flood by levee. Detailed design drawings and rationale for this alternative, including proposed mitigation, will be provided by the applicant in the amendments to the alternate project.

Alternative 3: - Reconstruct Outside the Base Floodplain – This alternative would rebuild the damaged facilities outside the base floodplain. This alternative requires identification of a suitable site not subject to flooding. Grading and grubbing of the site would be necessary to prepare for reconstruction. Additional sewage, electricity, and drainage for each building might also be necessary. Each facility would be constructed to be compliant with current codes and standards (e.g., American with Disabilities Act, building codes, local floodplain ordinances, etc.).

Reconstruction of the facilities outside the base floodplain is not a practicable option because it has been determined by the applicant to not be economically feasible or socially acceptable. Community leaders have also indicated this choice would not serve the best interests of the entire community.

STEP 4

Identify the potential direct or indirect impacts associated with, the occupancy or modification of floodplains and wetlands and the potential direct and indirect support of floodplain and wetland development that could result from the proposed action (see 44 CFR 9.10).

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Alternatives identified as described below:

Alternative 2 (Proposed Alternative): - Locate School in the Area Protected from the Base Flood by Levee – Reconstruction of school facilities per the plans to be provided in the alternate project would represent investment at risk subject to damage from residual risk in future floods (levee failure or overtopping). Facilities damaged in future flooding may result in the need for disaster assistance payments. Incorporation of mitigating measures to protect against future floods will lessen the likelihood of flood damage.

STEP 5

Minimize the potential adverse impacts and support to or within floodplains and wetlands to be identified under step # 4, restore and preserve the natural and beneficial values served by floodplains, and preserve and enhance the natural and beneficial values served by wetlands (see 44 CFR 9.11).

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - Mitigation measures identified as described below:

Alternative 2 (Proposed Alternative): - Locate School in the an Area Protected from Base Flood by Levee - Reconstruction shall be in accordance with local floodplain ordinances with applicable building codes and standards applied to mitigate and minimize adverse effects (compliance with minimum National Flood Insurance Program standards and requirements). Building utilities will be protected by methods including elevation and component protection in place.

STEP 6

Reevaluate the proposed action to determine first, if it's still practicable in light of its exposure to flood hazards, the extent to which it will aggravate the hazards to others and its potential to disrupt floodplain and wetland values and second, if alternatives preliminarily rejected at step # 3 are practicable in light of the information gained in steps # 4 and # 5. FEMA shall not act in a floodplain or wetland unless it's the only practicable location.

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - Action proposed is located in the only practicable location as described below:

Reconstruction of the school facilities as proposed has been determined by the applicant and GOHSEP to be a practicable option because it is economically feasible, socially acceptable, and has been determined by the community leaders to meet their needs and serve the best interests of the community. This alternative enables the applicant to rebuild in an area centrally located with respect to the school community served and will enable reduced travel times for the use of the school facilities.

STEP 7

Prepare and provide the public with a finding and public explanation of any final decision that the floodplain or wetland is the only practicable alternative (see 44 CFR 9.12).

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Finding is or will be prepared as described below:

Reconstruction of the school facilities in the floodplain has been determined to be a practicable alternative with significant benefits to the community, which overrides the prudence of location outside the floodplain. This review and analysis of this proposed action was documented through the required 8-step public participation and decision-making process.

STEP 8

Review the implementation and post-implementation phases of the proposed action to ensure that the requirements of the order are fully implemented. Oversight responsibility shall be integrated into existing processes.

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Approval conditioned on review of implementation and post-implementation phases to ensure compliance with the order(s).

Project shall be reviewed by FEMA at grant closeout to ensure the project was completed in accordance with all relevant and applicable floodplain ordinances, codes and standards and that all project actions were undertaken in accordance with terms and conditions stipulated to mitigate and minimize adverse effects in or to the floodplain and wetlands.