

# **Record of Environmental Consideration**

**REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007**

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** Thurgood Marshall Middle School - Temporary Occupancy Permit Repairs  
FIPS #033-UA9M2-00/ AI No. 1752

**Applicant Name:** Recovery School District

**Project Location:** Thurgood Marshall Middle School - Location: 29.978939, -90.105912  
4621 Canal Street, New Orleans, LA 70119

**Project Description:** 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 FEMA, as a component of the 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](http://www.fema.gov/plan/ehp/noma/index.shtm)

The Federal Emergency Management Agency (FEMA), Environmental and Historic Preservation (EHP) Department at the Louisiana Recovery Office (LRO) has determined through its Special Considerations review that Facility Planning and Control (applicant) public involvement process meets the requirements of the National Environmental Policy Act (NEPA) Alternative Arrangements (AA). Those requirements comply with the programmatic agreement between the 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](http://www.fema.gov/plan/ehp/noma)) has been activated to address the basic elements of NEPA for actions taken to restore critical infrastructure devastated by Hurricane Katrina

On August 29, 2005, Hurricane Katrina and its aftermath caused wind and flood damages to facilities at the Thurgood Marshall Middle School. Per the Recovery School District's and Orleans Parish School Board's 2008 "School Facilities Master Plan," the Thurgood Marshall Middle School has been proposed for repairs. Furthermore, the Applicant has been granted a Single Settlement Request (SSR) to utilize FEMA funding for the reconstruction of the New Orleans Public Schools (NOPS) in accordance with this master plan. However, there is currently no recipient scope of work for this facility in PW 19166, which details the applicant's Single Settlement Request agreement with FEMA.

Consequently, this scope of work will be vetted and memorialized in the amended Record of Environmental Consideration for PW 19166. This Record of Environmental Consideration (REC) covers the proposed repairs at the Thurgood Marshall Middle School site to obtain temporary occupancy permits for the buildings located on campus. Specifically, this REC addresses the following scope of work:

- **Sitework:**
  - Restore site areas affected by construction operations and stabilize for erosion control
  - Remove and replace electrical feeder cables
  - Remove and replace asphalt at courtyard
  - Remove and replace sidewalks and perimeter fence
- **Exterior Construction:**
  - Remove and replace non-original hollow metal doors, frames and included Americans with Disabilities Act (ADA) compliant door hardware
  - Clean brick masonry wall
  - Wash and paint exterior soffits and fascia
- **Roofing:**
  - Remove and repair of damaged clay tile roof and related components on main building (in-kind)
  - Cottage roof replacement (in-kind)

- Interior Construction:
  - Mop and disinfect all hard surface floors
  - Refinish terrazzo floors
  - Vacuum and disinfect all carpet areas
  - Clean and sanitize bathrooms and all fixtures
  - Clean and sanitize all hard surface walls and ceilings
  - Remove and replace gypsum wallboard and metal studs
  - Patch and paint walls and trim
  - Remove and replace significantly damaged wood doors
  - Repair original wood doors and frames and replace hardware as required
  - Replace broken glass with solid infill panels on original wood doors or replace damaged Plexiglas
  - Remove and replace damaged Cafetorium hardwood floor with 5" tongue-in-groove hardwood flooring stained to match original
  - Remove wood stage for code compliance
  - Replace damaged VCT tile, vinyl base, and underlayment
  - Remove and replace damaged carpet
  - Remove and replace damaged acoustic ceiling tile and grid system
  - Remove and replace damaged drywall ceilings
- Furniture, Fixtures, and Equipment:
  - Replace damaged fire extinguishers and fire hose cabinets
  - Replace damaged cork boards and chalkboards, but retain original trim
  - Replace damaged toilet partitions and accessories, but retain non-damaged original marble partitions
  - Replace water closets and flush valves
  - Replace damaged drinking fountain, service sink, and faucet
  - Replace damaged pre-finished metal toilet stall
  - Retain original casework and wood shelving, but repair damaged wood and re-paint casework
  - Replace window blinds
  - Remove and replace damaged kitchen equipment
  - Remove and replace damaged ceiling fans
- Mechanical:
  - Replace damaged HVAC units and related components
- Electrical:
  - Replace damaged electrical system and related components
- Plumbing:
  - Replace damaged plumbing system and related components
- Special Systems:
  - Replace damage components associated with the kitchen, communications, technology, temperature control, fire alarm, and life safety systems

## **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 sub-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. 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: Joseph Chauvin, Environmental Protection Specialist, FEMA LRO

Signature Joseph Chauvin Date 8/6/2012

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

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

Signature Kevin Mannie Date 8/6/2012

## I. Compliance Review for Environmental Laws (other than NEPA)

### **A. National Historic Preservation Act (NHPA)**

- Not type of activity with potential to affect historic structures or archaeological resources (**Review Concluded**)
- Activity meets Programmatic Agreement. Activity meets Programmatic Allowance (date of agreement and allowance number in comments) - **Review Concluded**
- Applicable executed Programmatic Agreement (August 17, 2009 as amended on July 22, 2011). See project review below for historic structures and archaeological resources.
- Other Programmatic Agreement dated \_\_\_\_\_ applies

### **HISTORIC BUILDINGS AND STRUCTURES**

- No historic properties that are listed or 50 years or older in project area. (**Review Concluded**)
- Building or structure 50 years or older or listed on the National Register in the project area and activity not exempt from review.
- Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
- Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
- Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
- No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
- Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
- Resolution of Adverse Effect completed (MOA on file)  
Are project conditions required  Yes (see Section V)  No (**Review Concluded**)

### **ARCHEOLOGICAL RESOURCES**

- Project affects only previously disturbed ground – **Review Concluded**
- Project affects undisturbed ground or grounds associated with a historic structure
- Project area has no potential for presence of archeological resources
- Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file) (**Review Concluded**)
- Project area has potential for presence of archeological resources

- Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
- Determination of historic properties affected
  - NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
  - NR eligible resources present in project area (FEMA finding/SHPO/THPO concurrence on file)
    - No Adverse Effect Determination (FEMA finding/ SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)
    - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
      - Resolution of Adverse Effect completed (MOA on file)  
Are project conditions required?  Yes (see Section V)  No (**Review Concluded**)

**Comment:** A review of this version of this project was conducted in accordance with Stipulation I.B of FEMA's Programmatic Agreement dated August 17, 2009 and amended on July 22, 2011. On 6 July 2007, FEMA determined Thurgood Marshall to be an contributing element to the Mid-City NRHD and that there was a good potential to encounter archaeological deposits associated with the Beauregard Public School and recommended archaeological monitoring of the removal and replacement of the asphalt play surface. SHPO concurred with the findings and recommendations in a letter, dated 19 July 2007. FEMA EHP staff monitored the removal and replacement of the asphalt, installation of utilities, and associated ground disturbing activities from July to September 2007. As a result of the archaeological monitoring, FEMA recorded archaeological site 16OR260, as well as producing a monitoring report entitled: Archaeological Monitoring for the Federal Emergency Management Agency Restoration Work at Thurgood Marshall Middle School (16OR260), New Orleans, Louisiana, which was finalized in July 2010. When comparing the SOW in terms of what was done and when it was completed, it is clear that FEMA conducted archaeological monitoring for the relevant areas. Additionally, the remainder of the SOW meets the Allowances in Appendix C, Section 1, Items A, D & I and Section II, Items A.1; A.3; A. 5; B.1; B.2; C.1; D.1, E.1 and H. Any change to the approved scope of work will require reevaluation under Section 106.

**Correspondence/Consultation/References:** Victoria Byrd, HP Specialist (FEMA), and Jason Emery Archaeologist/HP Specialist (FEMA)

## B. Endangered Species Act

No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action. (**Review Concluded**)

Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.

No effect to species or designated critical habitat. (See comments for justification)

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

May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) (**Review Concluded**)

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

Likely to adversely affect species or designated critical habitat

Formal consultation concluded. (Biological Assessment and Biological Opinion on file)

Are project conditions required?  YES (see Section V)  NO (**Review Concluded**)

**Comments:** Project is located in an urban or previously developed area. Neither listed species nor their habitat occur in or near this site that would be adversely impacted, thus FEMA finds there will be no effect to threatened or endangered species or critical habitat.

**Correspondence/Consultation/References:** U.S. Fish & Wildlife Service's IPaC website (<http://ecos.fws.gov/ipac>) queried on 6/25/2012.

### C. Coastal Barrier Resources Act

- Project is not on or connected to CBRA Unit or Otherwise Protected Area **(Review Concluded)**.
- Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)
  - Proposed action an exception under Section 3505.a.6 **(Review Concluded)**
  - Proposed action not excepted under Section 3505.a.6.
- Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

**Comments:** Project is not within a CBRA zone.

**Correspondence/Consultation/References:** Louisiana Coastal Barrier Resource System Maps referenced 6/25/2012.

### 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 affected jurisdictional waters of the U.S. in or near the project area.

**Correspondence/Consultation/References:** Google Earth referenced on 6/25/12.

### 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 6/25/2012.

### 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 6/25/2012.

### 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 site is located within an existing urban and developed area ROW and FPPA is precluded.

**Correspondence/Consultation/References:** Google Earth referenced on 6/25/2012.

## I. Migratory Bird Treaty Act

- Project not located within a flyway zone **(Review Concluded)**
- Project located within a flyway zone.
  - Project does not have potential to take migratory birds **(Review Concluded)**
    - Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
  - Project has potential to take migratory birds.
    - Contact made with USFWS
    - Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

**Comments:** The site is an existing disturbed area with little value to migratory birds and would not be included in the USFWS migratory bird management program.

**Correspondence/Consultation/References:** USFWS guidance letter dated September 27, 2005.

## 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:** National Oceanic and Atmospheric Administration's Essential Fish Habitat Mapper referenced on 6/25/2012.

## 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 is not along and does not affect a Wild or Scenic River (WSR).  
**Correspondence/Consultation/References:** National Wild and Scenic Rivers  
<http://www.rivers.gov/maps/zoom/conus/conus.html> referenced 6/25/12.

## 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:** Orleans Parish Advisory Base Flood Elevation Maps (ABFEs) were issued June 2006. This site is shown on ABFE Panel LA-DD30 as in a zone designation of ABFE EL 0 feet or 3 feet above HEAG. Orleans Parish Preliminary DFIRMs were issued November 2008. This site is shown on DFIRM Panel 22071C0230F, as in an AE (EL 0) Zone. See conditions.

**Correspondence/Consultation/References:** Joseph Chauvin, 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 site.

**Correspondence/Consultation/References:** U.S. FWS NWI map accessed on-line 6/25/2012

### C. E.O. 12898 - Environmental Justice for Low Income and Minority Populations

- Project scope of work has no potential to adversely impact any population **(Review Concluded)**
- No Low income or minority population in, near or affected by the project based on information gathered from <http://factfinder.census.gov>. **(Review Concluded)**
- Low income or minority population in or near project area
- No disproportionately high and adverse impact on low income or minority population **(Review Concluded)**
- Disproportionately high or adverse effects on low income or minority population  
Are project conditions required?  YES (see Section V)  NO **(Review Concluded)**

**Comments:** The percent populations of 70119 are: 72.7 % African-American, 24.4 % White, 5.6% Hispanic, and 1.0% Asian. The median household income in 1999 was \$23,826 and 29.2% of families are below the poverty line.

**Correspondence/Consultation/References:** Joseph Chauvin, 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).

#### **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 shall handle, manage, and dispose of petroleum products, hazardous materials (such as asbestos and lead based paint), and/or toxic waste in accordance with the requirements and to the satisfaction of the governing local, state, and federal agencies.  
**Correspondence/Consultation/Reference:** Joseph Chauvin, Environmental Protection Specialist

#### **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).

### **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:**

- In compliance with E.O. 11988, a Programmatic Statewide 8-Step process has been completed and is attached; per 44 CFR 9.12 a cumulative public notice was published from 12/08/08-12/12/08. Per 44 CFR 9.11(d)(9), the replacement of building contents, materials, and equipment, where possible, disaster proofing of the building and/or elimination of the such future losses by relocation of those building contents, materials, and equipment to or above the 500 year floodplain for critical actions. The applicant is required to coordinate and

comply with local Floodplain Administrator regarding floodplain permit(s) prior to the start of any activities. 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.

- 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, the 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.
- 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.
- This project involves the modification 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.
- This project is located within the Louisiana Coastal Management Zone. The applicant must check with Louisiana Department of Natural Resources (LDNR) for permitting or other authorization requirements. Projects may be coordinated by contacting LDNR at 1-800-267-4019.
- If required by LDEQ, the applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution prevention plan 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-STEP PROCESS CHECKLIST

### Temporary Occupancy Repairs – At Thurgood Marshall Middle School Campus Orleans Parish

Date: 6/29/2012  
Prepared by: Joseph Chauvin, CFM, Environmental/Floodplain Specialist, FEMA EHP  
Project Title: Thurgood Marshall Middle School - Temporary Occupancy Repairs  
Location: Orleans Parish  
(Latitude: 29.978939; Longitude: -90.105912)

FEMA-1603-DR-LA

#### EO 11988-FLOODPLAIN MANAGEMENT EO 11990-WETLAND PROTECTION

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

- The specific project sites are located in a floodplain as mapped on ABFE panel LA-DD30 as in a zone designation of EL 0 ft or 3 ft above Highest Existing Adjacent Grade (HEAG).
- 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:

A cumulative Initial Public Notice was published statewide  
October 21<sup>st</sup> – November 2<sup>nd</sup>, 2008.

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 in the EA Document or described below:

Alternative 1: No action would leave the school campus with inadequate facilities to meet the educational needs of the students in the community near the school site.

Alternative 2: Relocating these facilities outside the 100-year flood event elevation. The area is predominantly composed of special flood hazard areas. The students and community will likely not commute to facilities outside the 100-year flood event area due to the significant distances involved in the commute.

Alternative 3: Complete repairs as necessary to obtain temporary occupancy permits.

STEP 4

**Identify the full range or 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 in the EA Document or described below:

The project will retain services to the same facility within the floodplain and should not have an adverse affect upon the floodplain or wetlands.

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 in the EA Document or described below:

In compliance with 44 CFR 9.11, mitigation and minimization standards will be considered and applied, where possible.

STEP 6

**Reevaluate the proposed action to determine first, if it is still practicable in light of its exposure to flood hazards, the extent to which it will aggravate the hazards to others, and it's 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 is the only practicable location (see 44 CFR 9.9).**

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:

The most practicable alternative is to repair/replace the facilities at the former location and function as before.

Applicable - Action proposed is not located in the only practicable location. Describe below:

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:

A Cumulative Public Notice was published on October 27-31, 2008.

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 of the order(s).