

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007

See 44 Code of Federal Regulation Part 10

Project Name/Number: George O. Mondy Elementary School Demolition Custodial Lodge
FIPS#: 033-UA9M2-00/ **AI No. 1473**

Applicant Name: Recovery School District

Project Locations: George O. Mondy Elementary School - Location: 29.97066, -90.07698
2327 St. Philip Street, New Orleans, LA 70119

Project Description:

On August 29, 2005, Hurricane Katrina and its aftermath caused wind and flood damages to facilities at the Recovery School District George O. Mondy Elementary School. The Orleans Parish School Board and the Recovery School District prepared a Schools Facilities Master Plan for Orleans Parish for renovations and rebuilding of schools following Katrina. The Applicant plans to demolish the custodial lodge on the campus.

The Mondy Custodial Lodge is a wood frame cottage of approximately 2100 square feet. The determination to demolish the lodge is based on the substantial termite damage to the facility. The Applicant does not believe it is a viable candidate for relocation due to its poor condition.

The Department of Homeland Security (DHS) and the Council on Environmental Quality (CEQ) have established Alternative Arrangements to meet the requirements of the National Environmental Policy Act (NEPA) and the CEQ Regulations for Implementing the Procedural Requirements of NEPA to Reconstruct Critical Infrastructure in the New Orleans Metropolitan Area. These alternative arrangements will enable FEMA, as a component of DHS, to consider the potential for significant impacts to the human environment from its approval to fund the reconstruction of critical physical infrastructure in NOMA. This project qualifies as an Alternative Arrangement for the Reconstruction of Critical Infrastructure in the New Orleans Metropolitan Area. For more information visit www.fema.gov/plan/ehp/noma/index.shtm

The Federal Emergency Management Agency (FEMA), Environmental and Historic Preservation (EHP) Division at the Louisiana Recovery Office has determined through its Special Considerations review that 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 White House Council on Environmental Quality, the Department of Homeland Security, and FEMA.

National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review (**Review Concluded**)
- Programmatic Categorical Exclusion - Category (**Review Concluded**)
- Categorical Exclusion - Category XV
 - No Extraordinary Circumstances exist.
Are project conditions required? Yes (see section V) No (**Review Concluded**)
 - Extraordinary Circumstances exist (see Section IV).
 - Extraordinary Circumstances mitigated. (See Section IV comments)
Are project conditions required? Yes (see section V) No (**Review Concluded**)
- Alternative Arrangements
 - Public Involvement Plan on file (see comments below)
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, 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: Kelly E. Rowe, Environmental Specialist, FEMA LRO

Signature  Date 1-3-12

FEMA Environmental Liaison Officer or Delegated Approving Official:

Name: Adam Borden, Environmental Team Lead, FEMA LRO

Signature  Date 1/3/12

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

A. National Historic Preservation Act (NHPA)

- Not type of activity with potential to affect historic structures or archaeological resources (**Review Concluded**)
- 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 attached/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: A review of this project 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). Two buildings, the Custodial Lodge and the Main Building, were determined eligible for the National Register of Historic Places (NRHP). The Restroom Building and two Portables were determined to be ineligible for NRHP listing. In accordance with 36 CFR 800.5, FEMA has determined the demolition of the Custodial Lodge will adversely affect historic properties. In accordance with Stipulation of 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 Measure (a). SHPO concurred with FEMA's proposal to address the proposed adverse effect through the Standard Mitigation Measures and none of the RSD/OPSB 2PA Signatories, Invited Signatories, or Tribes objected within the timeframes within 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 letter dated October 28, 2011 and summarized in the NHPA conditions section of this PW, must be carried out. The Custodial Lodge is located on/within the current mapped area of archaeological site 16OR583. The following conditions must be implemented in order to minimize potential adverse effects to archaeological resources.

B. Endangered Species Act

- No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action.
(Review Concluded)
- Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.
- No effect to species or designated critical habitat. (See comments for justification)
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) **(Review Concluded)**
Are project conditions required? Yes (see Section V) No **(Review Concluded)**
 - Likely to adversely affect species or designated critical habitat
 - Formal consultation concluded. (Biological Assessment and Biological Opinion on file)
Are project conditions required? YES (see Section V) NO **(Review Concluded)**

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

Correspondence/Consultation/References: USFWS emergency consultation provisions determined in letters dated September 15, 2005 for Katrina.

C. Coastal Barrier Resources Act

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

Comments: Project is not within a CBRA zone.

Correspondence/Consultation/References: Louisiana Coastal Barrier Resource System Maps referenced December 21, 2011.

D. Clean Water Act

- Project would not affect any waters of the U.S. **(Review Concluded)**
- Project would affect waters, including wetlands, of the U.S.
- Project exempted as in kind replacement or other exemption. **(Review Concluded)**
 - Project requires Section 404/401 of Clean Water Act or Section 9/10 of Rivers and Harbors Act permit, including qualification under Nationwide Permits.
Are project conditions required? YES (see Section V) NO **(Review Concluded)**
- Project would affect waters of the U.S. by discharging to a surface water body.

Comments: No jurisdictional waters of the U.S., including wetlands, occur in or near the project area.
Correspondence/Consultation/References: USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried on December 21, 2011.

E. Coastal Zone Management Act

- Project is not located in a coastal zone area and does not affect a coastal zone area (**Review Concluded**)
 Project is located in a coastal zone area and/or affects the coastal zone
 State administering agency does not require consistency review. (**Review Concluded**).
 State administering agency requires consistency review.
Are project conditions required? YES (see section V) NO (**Review Concluded**)

Comments: This project is located within the Louisiana Coastal Management Zone. Projects within the coastal zone may require a coastal use permit or other authorization from LADNR. Projects may be coordinated by contacting LA DNR at 1-225-342-9232.
Correspondence/Consultation/References: Louisiana Coastal Zone maps queried December 21, 2011.

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 December 21, 2011

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.
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 and FPPA is precluded.
Correspondence/Consultation/References: Kelly E. Rowe, Environmental 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.

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 December 21, 2011.

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.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

NA

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-DD31, as in Zone ABFE, EL 1.5 (NGVD), or 3 feet above the Highest Existing Adjacent Grade (HEAG). Orleans Parish Preliminary DFIRMs were issued November 2008. The site is shown on DFIRM Panel 22071C0230F, as in Zone AE EL 0 (NAVD). The applicant intends to demolish the elementary school custodial lodge. As the building will be removed it is a beneficial effect to floodplain management.

B. E.O. 11990 - Wetlands

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

Comments: None

Correspondence/Consultation/References: U.S. FWS NWI map accessed on-line December 21, 2011.

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: 23.3 % White, 72.1 % African-American, 5.6 % Hispanic. The median household income in 1999 was \$ 21,297.00 and 29.2 % of families are below poverty level.

Correspondence/Consultation/References: Kelly E. Rowe, Environmental 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. FEMA generally requires that no ground disturbance occur during demolition of the custodial lodge.
2. All equipment and machinery used during demolition will be staged on the concrete slab surrounding the structure.
3. The slab will remain in place and not be removed through excavation.
4. Utility lines will be disconnected and capped at grade.
5. Piers will be shorn off at-grade with no below-ground excavation.
6. There will be no salvage of architectural materials from below-grade.
7. Excavation of on-site soil materials and burial of debris are not permitted.
8. Louisiana Unmarked Human Burial Sites Preservation Act: 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.
9. Inadvertent Discovery Clause: 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.
10. Prior to implementing the Undertaking RSD will record the building in accordance with Appendix E of the RSD/OPSB 2PA.
11. RSD will digitally photograph the building. These photographs are intended to reflect the current condition of the property, and no steps are required to clean the interiors prior to the photography. The digital photography must comply with the requirements from the Proposed Update Photographic Policy National Register of Historic Places (revised March 2008) including the National Archives and Records Administration's (NARA's) guidance to supplement requirements in 36 CFR §1228.270 for transferring permanent electronic records to NARA. These requirements can be found in detail in Appendix E of the RSD/OPSB 2PA.
12. 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 to SHPO for a 15-day review. FEMA and SHPO will review the draft recordation materials to determine if they are responsive to the SOW contained in this letter.
13. RSD will prepare three (3) archival copies of the photographs after FEMA has notified RSD that the draft recordation materials fulfill the SOW contained in this letter, and will deliver the recordation materials to FEMA. FEMA shall forward two (2) copies to SHPO, and SHPO will forward one (1) copy to the State Library and one

(1) copy to the State Archives. FEMA will ensure that one (1) copy is submitted to the University of New Orleans, Earl K. Long Library, Louisiana Special Collections, New Orleans, LA.

14. A minimum of 12 photographs of the Custodial Lodge to be taken: two contextual views showing the lodge in relation to the main building; all four elevations; four oblique views at corners of the building; and two details of the front entrance.
15. 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.
16. 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.
17. This project involves the partial demolition of public structures 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.