

# **Record of Environmental Consideration**

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

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** Improved Project – City of New Orleans:  
N.O. Mosquito, Termite & Rodent Control Facilities  
AI DB # 1247 (1-4) - FIPS#: 071-55000-00  
Site 1: PW # 2042-5  
Site 2: PW # 12575-7  
Site 3: PW # 1806-6  
Site 4: PW # 10684-7

**Applicant Name:** City of New Orleans

**Project Location:** Site 1: New Orleans Mosquito Control Board Administrative Building - 6601 Stars and Stripes Boulevard, New Orleans, LA (30.03705, -90.01714)  
Site 2: New Orleans Mosquito Control Board Middle Shop Building - 6601 Stars and Stripes Boulevard, New Orleans, LA (30.03752, -90.01698)  
Site 3: Mosquito and Rodent Control Building - 1600 Jourdan Avenue, New Orleans, LA (29.96858, -90.02370)  
Site 4: New Orleans Mosquito Control Board Back Shop Building - 6601 Stars and Stripes Boulevard, New Orleans, LA (30.03770, -90.01655)

## **Project Description:**

The applicant has elected to take an improved project funding option to make improvements while restoring the pre-disaster function and capacity of these facilities. The PW versions are written to reflect approval of applicant's request for an improved project to provide for additional capacity and improvements to the replacement facilities for the New Orleans Termite and Rodent Control Department. The applicant requested to replace the four (4) damaged facilities described by PWs 1806, 10684, 12575 and 2042, containing a total of 29,612 square foot (SF), with an improved project consisting of two (2) facilities containing a total of 37,500 SF that will provide at least the same function and capacity and will continue to serve the current needs of the same community. In a letter dated December 13, 2011, FEMA approved the applicant's improved project request to PWs 1806, 10684, 12575 and 2042. Donor facilities will be capped at the federal share of the approved estimate of eligible costs established in previous versions. Demolition and site specific costs from donor facilities will stay at their respective locations and not transfer to the improved project. Each of the four (4) aforementioned PWs is being converted to IP PWs by versioning each of the 4 PWs in place. Funding for improved projects is limited to the estimated costs associated with the original, eligible scope of work.

Improved project scope of work IP 1247

Site No. 1 -Administrative Building (Lat 30.02438, Long 90.063754): 2100 Leon C. Simon Drive, New Orleans, LA  
The new 18,000 SF facility will be located at 2100 Leon C. Simon Drive, New Orleans, LA. All administrative, teaching, laboratories, training and some non-hazardous storage functions that were housed in the original facilities will be housed in this building.

Site No. 2-Rodent Control Building (Lat 30.0281, Long -90.0303) 234 Harbor Circle, New Orleans, LA:

Due to zoning restrictions, the storage of pesticides, chemicals and other hazardous materials are being relocated to a heavy industrial zoned area. The applicant proposes to purchase an existing 19,500 SF warehouse located at 234 Harbor Circle, New Orleans, LA. The building is typical steel frame and metal deck construction with 5,500 SF of office space. Applicant should note that contents of this facility will have to be elevated to comply with the 500 year flood event elevation.

Donor facilities

Site 1: PW 2042 -5 - New Orleans Mosquito Control Board Administrative Building

Address: 6601 Stars And Stripes Blvd., New Orleans, LA (30.03705, -90.01714)

Description: 3,600 SF structural steel and steel joists with EIFS finished siding over metal studs, storefront aluminum windows and a flat built up roof with skylights.

Uses: administration including employee kitchen.

Site 2: PW 12575-7 - New Orleans Mosquito Control Board Middle Shop Building  
 Address: 6601 Stars And Stripes Blvd., New Orleans, LA (30.03752, -90.01698)  
 Description: 8,262 SF with metal overhead doors, skylights and metal roof  
 Uses: vehicle and equipment maintenance with maintenance personnel office space including a computer room, a conference room, offices, and also 500 gallon storage tanks containing pesticides.

Site 3: PW 1806-6 - Mosquito and Rodent Control Building  
 Address: 1600 Jourdan Avenue. New Orleans, LA (Lat 29.96858, Long -90.02370)  
 Description: 4,750 SF pre engineered metal building with metal overhead doors and mezzanine (PW shows 5000 SF)  
 Uses: support and store rodent control devices (pesticides and poisons)

Site 4: PW 10684-7 - New Orleans Mosquito Control Board Back Shop Building  
 Address: 6601 Stars And Stripes Blvd., New Orleans, LA (30.03770, -90.01655)  
 Description: 13,000 SF with metal overhead doors, skylights and metal roof  
 Uses: fog truck shop, storage of pesticides, laboratory, administration.

This improved project must comply with the conditions set forth in the Louisiana Recovery Office approval letter stipulating various conditions listed in the Record of Environmental Consideration for this project. Failure to comply with these conditions may jeopardize federal assistance including funding. The construction elevation and hazardous materials storage elevations are further described in the attached September 27, 2011 memo on identification of .2 % annual chance flood elevation for New Orleans Mosquito Termite and Rodent Control Facilities and in the attached letter to GOHSEP dated September 8, 2011.

**National Environmental Policy Act (NEPA) Determination**

- Statutorily excluded from NEPA review (**Review Concluded**)
- Programmatic Categorical Exclusion - Category (**Review Concluded**)
- Categorical Exclusion xii, 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:** This project meets the criteria to utilize the Alternative Arrangement Process within the National Environmental Policy Act approved by the Council on Environmental Quality, DHS, and FEMA on 3/23/2006. Based on information provided by the applicant, the scope of work for this project is included in the Alternative Arrangement Process through the National Environmental Policy Act (NEPA). The applicant has provided sufficient documentation to demonstrate a satisfactory public involvement process. Any changes to this approved scope of work will require submission to, and evaluation and approval by, the State and FEMA prior to initiation of any work, for compliance with NEPA. The applicant is required to obtain and comply with all local, state, and federal permits and requirements. Non-compliance with the requirements noted above may jeopardize the receipt of federal funding.

**Correspondence/Consultation/References:**

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

### Reviewer and Approvals

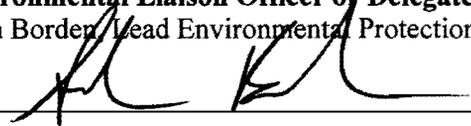
**FEMA Environmental Reviewer:**

Name: Odessa Bowen, Environmental Protection Specialist

Signature  Date 5-3-2012

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

Name: Adam Borden, Lead Environmental Protection Specialist, FEMA LRO

Signature  Date 5-3-12

### 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 dated August 17, 2009. 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:** A review of this Improved version of these projects was conducted in accordance with FEMA's Programmatic Agreement dated August 17, 2009. FEMA has determined that No Historic Properties are affected by the proposed undertaking. SHPO concurrence with this determination was received in a letter, dated February 3, 2011. On January 26, 2011 consultation with affected tribes including the Alabama-Coushatta and the Choctaw Nation of Oklahoma was conducted in accordance with the Programmatic Agreement dated August 17, 2009. Additionally, on January 26, 2011 consultation with affected tribes including Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Tribe of Florida, the Seminole Nation of Oklahoma, and the Tunica-Biloxi Tribe of Louisiana was conducted pursuant to 36 CFR §800.2(c)(2)(i)(B). The Jena Band of Choctaw Indians concurred with the determination. FEMA has not received a response from the other Tribes within the timeframes in the PA and the Section 106 regulations and therefore may proceed with funding under the PA and 36 CFR §800.3(c)(4). The applicant must comply with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) and the Inadvertent Discovery Clause, which can be found under the Environmental Review NHPA conditions. Any change to the approved scope of work will require reevaluation under Section 106. The historic comments dated 03/08/07 for PW 1806-6, 12/14/06 for PW 2042-5 and 12/27/09 for PW 10684-7 address the donor building demolition and remain valid.

**Correspondence/Consultation/References:** A. Loomis Carroll, HP 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:** All sites have been reviewed for effects to Federal Trust Resources under the jurisdiction of the USFWS and currently protected by the Endangered Species Act of 1973. The project, as proposed, will have no effect on those resources. This finding fulfills the requirements under Section 7(a)(2) of the Act.

**Correspondence/Consultation/References:** US Fish and Wildlife Service correspondence dated 11/19/2010

### 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:** Sites are not within a CBRA zone.

**Correspondence/Consultation/References:** Louisiana Coastal Barrier Resource System Maps referenced April 18, 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:** The project will not impact waters of the United States.

**Correspondence/Consultation/References:** Odessa Bowen, Environmental 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 should be contacted to determine if consistency review required..
- Are project conditions required?  YES (see Section V)  NO (**Review Concluded**)

**Comments:** All sites are located within the Louisiana Coastal Management Zone. Projects within the coastal zone may require a coastal use permit or other authorization from DNR. Prior to initiation of work, projects must be coordinated by contacting LA DNR at 1-800-267-4019. If a permit or other authorization is required, applicant shall comply with all conditions of the permit.

**Correspondence/Consultation/References:** Louisiana Coastal Zone Maps

### 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 will not affect, control or modify a waterway or body of water.

**Correspondence/Consultation/References:** Google Earth accessed April 18, 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:** Applicant should ensure that best management practices are taken. Care should be taken to minimize the generation of fugitive dust during construction activities. 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:** All sites are located within an existing urban and developed area.

**Correspondence/Consultation/References:** National Resource Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/>)

### 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:** All sites are 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:** Sites are not located in or near any surface waters with the potential to affect EFH species.

**Correspondence/Consultation/References:** Google Earth accessed April 18, 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 will have no effect on Wild or Scenic River.

**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 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

None

## 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:** Proposed location of the New Orleans Mosquito Control Administration building is 2100 Leon C. Smith Drive. Per Preliminary Digital Flood Insurance Rate Map (DFIRM), this site is found on DFIRM Panel # 22071C 0115F, dated 11/13/2008, in an AE zone, el 1, NAVD. Per Advisory Base Flood Elevation (ABFE) maps, the proposed site is also found on Orleans Parish ABFE Map LA-OR- EE32 – El. -1 ft. or 3 ft. above HEAG.

The proposed location of the storage building is 234 Harbor Circle. Per Preliminary DFIRM panel 22071C 0120F, dated 11/13/2008, this site is located within a Zone AE, (El -2, NAVD). The proposed storage building is also found on Orleans Parish ABFE Map LA-OR- EE32 in Zone AE El. -4 ft. or 3 ft. above HEAG. The Mosquito Control facility has been determined to be a critical facility as defined under 44 CFR 9.4, as it stores hazardous materials. Therefore, the hazardous materials storage needs to be elevated above the 0.2 % annual chance (500-year) flood elevation. Per a September 27, 2011 memo issued by the FEMA Region VI Mitigation Division Director, FEMA’s official determination of the 0.2 percent annual-chance flood elevation for the New Orleans Mosquito, Termite, and Rodent Control Facilities is -2 FT NAVD (see attached memo).

New construction must be compliant with current codes and standards. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. In compliance with Executive Order 11988, an 8-step process, showing considered alternatives, was completed and is attached or on file. As per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied where possible. The replacement of building contents, materials and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the community established base flood elevation. A cumulative final public notice was published 10/26/07 - 11/02/07 and is attached or on file.

The City of New Orleans/Orleans Parish enrolled in the National Flood Insurance Program (NFIP), as of 08/03/70.

Site 1: Per preliminary Digital Flood Insurance Rate Map (DFIRM) 22071C0120F, dated 11/13/08, New Orleans Mosquito Control Board Administrative Building - 6601 Stars and Stripes Boulevard, New Orleans, LA (30.03705, -90.01714) is located within Zone VE, El 13, base flood elevation (BFE) determined.

Site 2: Per preliminary Digital Flood Insurance Rate Map (DFIRM) 22071C0120F, dated 11/13/08, New Orleans Mosquito Control Board Middle Shop Building - 6601 Stars and Stripes Boulevard, New Orleans, LA (30.03752, -90.01698), is located within Zone VE, El 13, base flood elevation (BFE) determined.

Site 3: Per preliminary Digital Flood Insurance Rate Map (DFIRM) 22071C0235F, dated 11/13/08, Mosquito and Rodent Control Building - 1600 Jourdan Avenue, New Orleans, LA (29.96858, -90.02370) is located within Zone AE, El 8, base flood elevation (BFE) determined.

Site 4: Per preliminary Digital Flood Insurance Rate Map (DFIRM) 22071C0120F, dated 11/13/08, New Orleans Mosquito Control Board Back Shop Building - 6601 Stars and Stripes Boulevard, New Orleans, LA (30.03770, -90.01655) are located within Zone VE, El 13, base flood elevation (BFE) determined.

These facilities will be capped at the federal share of the approved estimate of eligible costs established in previous versions. Demolition and site specific costs will stay at their respective locations and not transfer to the improved project. Projects will have no adverse impact on the floodplain. 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 state and FEMA for inclusion in the permanent project files.

**Correspondence/consultation/references:** Odessa Bowen, CFM

### **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:** Project will have no impact on wetlands.

**Correspondence/Consultation/References:** USFWS NWI map accessed on-line  
<http://wetlandsfws.er.usgs/wtlnds/launch.html>

### **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 [add a reference] (**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:** Project will have no adverse effect on low income or minority population.  
**Correspondence/Consultation/References:** Odessa Bowen, Environmental Specialist

### **III. Other Environmental Issues**

**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:** None

### **V. Environmental Review Project Conditions**

The following conditions apply as a condition of FEMA funding reimbursement:

- 1) The applicant must comply with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) and the Inadvertent Discovery Clause. Any change to the approved scope of work will require reevaluation under Section 106.
- 2) If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. 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. If this scope of work and/or the footprint/location of the new building changes, this project will need to be resubmitted for further Section 106 review prior to ground disturbing activities taking place. Failure to comply with these stipulations may jeopardize receipt of federal funding.

- 3) Sites are located within the Louisiana Coastal Management Zone. Projects within the coastal zone may require a coastal use permit or other authorization from DNR. Prior to initiation of work, projects should be coordinated by contacting LA DNR at 1-800-267-4019. If a permit or other authorization is required, applicant shall comply with all conditions of the permit.
- 4) 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 and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
- 5) New construction must be compliant with current codes and standards. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. As per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied where possible. The replacement of building contents, materials and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the base floodplain.
- 6) All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.
- 7) Hazardous materials storage is considered to be a "Critical Action Facility" under 44 CFR 9.4, the lowest first floor elevation is required to be built above the elevation of the 500-year flood under Executive Order 11988. The 500-year flood elevation has been determined to be -2' NAVD. As of the release date of DFIRMs, unobligated FEMA Public Assistance grants for new construction and substantial improvements are to be built in accordance with a minimum base flood elevation (BFE) as established by the preliminary DFIRM. Orleans Parish DFIRMs were issued November 2008. Local ordinances based on ABFE maps may require a more stringent elevation requirement. Hazardous materials storage needs to be elevated above the 0.2 % annual chance (500-year) flood elevation.