

Record of Environmental Consideration

REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA -- April 2007

See 44 Code of Federal Regulation Part 10

Project Name/Number: Central Schools Renovation – St. Peter Claver School
Alternate/Improved Project No. 1304

Applicant Name: Roman Catholic Church – Archdiocese of New Orleans

Project Location: 1019 North Prieur Street
New Orleans, LA 70116
Latitude: 29.96829; Longitude:-90.07368

Project Description:

On August 29, 2005, heavy rain and strong winds associated with Hurricane Katrina damaged 32 Archdiocese of New Orleans school facilities. Multiple Project Worksheets (PWs) document the damages and obligated funds for the repair or replacement of these facilities. The Archdiocese has determined that the needs of the community would best be served by redirecting the eligible, obligated funds for the repair or replacement of these 32 facilities toward the renovation of five Archdiocese Central Schools: Cathedral Academy, St. Leo the Great School, St. Peter Claver School, St. Rita School and St. Stephen School. The renovation of these five schools was the subject of Alternate Project No. 390 and PW No. 18871. The current request (AI No. 1304) seeks to amend Alternate Project 390 to include the construction of a new classroom addition to St. Peter Claver School immediately adjacent and connected to the main school building, to include classrooms, a library, kitchen, offices and restrooms. The project also includes the removal of two trailers located on the site of the new addition.

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: 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. S. Epstein, Environmental Specialist

Correspondence/Consultation/References:

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

Reviewer and Approvals

FEMA Environmental Reviewer:

Name: Steven E. Epstein, Environmental Specialist, FEMA LRO

Signature St E Epstein Date 2/15/2012

FEMA Environmental Liaison Officer or Delegated Approving Official:

Name: Adam Borden, Environmental Team Lead, FEMA LRO

Signature Adam Borden Date 2/15/12

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 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 alternate project amendment (AI DB # 1304) was conducted in accordance with FEMA's Programmatic Agreement dated August 17, 2009 and amended on July 22, 2011 (2009 Statewide PA as amended). FEMA determined that St. Peter Claver School is a contributing element to the Esplanade Ridge Historic District listed in the National Register of Historic Places (NRHP) on June 20, 1980 for its significance at the state level under National Register Evaluation Criterion A and C. In accordance with Stipulation IX of the 2009 Statewide PA as amended and 36 CFR § 800.5, FEMA has determined the Undertaking will adversely affect historic properties. FEMA consulted under 36 CFR §800.6 to develop a Memorandum of Agreement (MOA) to avoid, minimize, and mitigate the adverse effects of this Undertaking. The MOA for this undertaking was executed on February 14, 2012. To remain in compliance with Section 106, the NHPA stipulations and conditions detailed within the MOA and set forth in this PW must be carried out. Any change to the approved scope of work will require reevaluation under Section 106. Failure to comply with these stipulations may jeopardize receipt of FEMA funding. C. Druzak, Lead Historic Preservation Specialist

B. Endangered Species Act

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

Comments: Project is located in an urban, 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. S.Epstein, Environmental Specialist
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. S.Epstein, Environmental Specialist
Correspondence/Consultation/References: Louisiana Coastal Barrier Resource System Maps referenced January 31, 2012.

D. Clean Water Act

- Project would not affect any waters of the U.S. **(Review Concluded)**
- Project would affect waters, including wetlands, of the U.S.
 - Project exempted as in kind replacement or other exemption. **(Review Concluded)**

- Project requires Section 404/401 of Clean Water Act or Section 9/10 of Rivers and Harbors Act permit, including qualification under Nationwide Permits.
Are project conditions required? YES (see Section V) NO (**Review Concluded**)
- Project would affect waters of the U.S. by discharging to a surface water body.

Comments: No jurisdictional waters of the U.S., including wetlands, occur in or near the project area. S.Epstein, Environmental Specialist
Correspondence/Consultation/References: USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried on January 31, 2012.

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. Applicant must check with Louisiana Department of Natural Resources for permitting or other authorization requirements. Projects may be coordinated by contacting LDNR at 1-800-267-4019. S. Epstein, Environmental Specialist
Correspondence/Consultation/References: Louisiana Coastal Zone maps queried January 31, 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. S.Epstein, Environmental Specialist
Correspondence/Consultation/References:

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 during construction. No long-term air quality impact is anticipated. Applicant should ensure that best management practices are taken to minimize the generation of fugitive dust during construction activities. S.Epstein, Environmental Specialist
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**)

M. Other Relevant Laws and Environmental Regulations

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: Per Preliminary Digital Flood Insurance Rate Map (DFIRM) 22071C0230F, dated Nov 13, 2008, facility is located within Zone AE, El 0, base flood elevation (BFE) determined, a Special Flood Hazard Area (SFHA) subject to inundation by the 1% annual chance (100-year) flood. The Advisory Base Flood Elevation (ABFE) is 1.5' or 3' Above HEAG. The proposed action is the use of funds from previously obligated projects that are no longer being pursued, for the construction of a new addition to the existing St. Peter Claver School. 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 on October 27-31, 2008 and is attached or on file. S.Epstein, CFM, Environmental 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: No wetlands are within or adjacent to the project sites. S.Epstein, Environmental Specialist
Correspondence/Consultation/References: USFWS NWI map accessed on-line January 31, 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 proposed project is deemed consistent with the principles of environmental justice contained in Executive Order 12898. The project will add new, additional classroom space, a library, cafeteria, kitchen, offices and restrooms to an existing, actively used facility. The project is not anticipated to have disproportionately high or adverse impacts on minority and/or low-income populations, based on an analysis of environmental justice considerations. The principles of environmental justice have been considered for this review, including the principle of equity established by Title VI of the Civil Rights Act of 1964. S.Epstein, Environmental Specialist.

Correspondence/Consultation/References:

III. Other Environmental Issues

Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).

Comments: None

Correspondence/Consultation/Reference:

IV. Extraordinary Circumstances

Yes

- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy
- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- (viii) Potential for adverse effects on health or safety; and
- (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

Comments:

V. Environmental Review Project Conditions

Project Conditions:

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

1. 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.
2. 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.

3. To remain in compliance with the NHPA, the applicant must fulfill the conditions detailed in the MOA executed on February 14, 2012.
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 (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.
5. This project is located within the Louisiana Coastal Management Zone. LA Department of Natural Resources (DNR) has determined that receipt of federal assistance is consistent with the Louisiana Coastal Resource Program. Projects within the coastal zone may still require a coastal use permit or other authorization from DNR.
6. 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.