

# **Record of Environmental Consideration**

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

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** AA Engine 22 & 39 Consolidation (*PWs 9750 & 1844*)  
FIPS# 071-55000-00

**Applicant Name:** City of New Orleans

**Project Location:** Fire Station 22  
2041 Eganias Street, New Orleans, Louisiana, 70040  
(29.64309, -89.93016)

Fire Station 39  
6030 St. Claude Avenue, New Orleans, Louisiana 70117  
(29.95980, -90.01135)

Proposed Address:  
5600 N. Claiborne Avenue, New Orleans, Louisiana 70117  
(29.96569, -90.013892)

## **Project Description:**

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 (CEQ Regulations) for FEMA Grants to Reconstruct Critical Infrastructure in the New Orleans Metropolitan Area. These Alternative Arrangements are designed to enable timely action on the expected large number of grant applications to restore safe and healthful living conditions in the New Orleans Metropolitan Area (NOMA). 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 through its grant programs. This project qualifies as an Alternative Arrangement (AA) 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).

FEMA has determined through its review that the public involvement process for the above referenced Alternate Project for the City of New Orleans (hereafter referred to as "the applicant"), meets the requirements for the NEPA's Alternative Arrangements. This finding is based in part on the applicant's Public Involvement Plan submitted to FEMA with a request for expedited review and Alternative Arrangements for NEPA compliance.

On August 29, 2005, Hurricane Katrina made landfall in Orleans Parish, Louisiana. Strong winds, storm surge, and wind-driven debris severely damaged two City of New Orleans fire stations (Engine 22 and Engine 39). Engine 22 has been demolished. Engine 39 is the subject of a Memorandum of Agreement (MOA) between the applicant and other parties providing for the transfer of the facility to a potential buyer, or if unsuccessful, to demolish the structure. The applicant has previously submitted a request for the consolidation of Engines 22 and 3 for a new facility at 5501 N. Claiborne Avenue, which was later amended to Engines 22 and 39. This request was withdrawn by the applicant in 2010.

The applicant now requests to consolidate funding from Engines 22 and 39 to construct a new three bay station at the new location of 5600 N. Claiborne Avenue. The new facility would incorporate current codes and standards, and maintain the same function and capacity as the two pre-existing facilities.

### 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 Arrangements process within the National Environmental Policy Act (NEPA) approved by the Council on Environmental Quality, Department of Homeland Security, and FEMA on March 23, 2006. Based on documentation provided by the applicant, FEMA has determined that the City of New Orleans has conducted a satisfactory process of public involvement and outreach in its project development and is otherwise eligible for consideration under Alternative Arrangements for NEPA compliance. The City of New Orleans is responsible for archiving public involvement materials. This material will be available at close-out for authentication and such documentation will be made available for the closeout reviewer.

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

### Reviewer and Approvals

**FEMA Environmental Reviewer:**

Name: Thomas Tregle, Environmental Protection Specialist, FEMA LRO

Signature Thomas Tregle Date 9-5-12

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

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

Signature Kevin Mannie Date 9/5/2012

## 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**)
- 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**)

**Comments:** 9/4/12 -A review of Version 0 of this project was conducted in accordance with FEMA’s Programmatic Agreement dated August 17, 2009 and amended on July 22, 2011 (2009 Statewide PA as amended). In accordance with Stipulation VIII.E of the 2009 Statewide PA as amended, FEMA determined that there are No Historic Properties Affected as a result of the proposed undertaking and provided the SHPO and Tribes (Alabama-Coushatta Tribe of Texas, Choctaw Nation of Oklahoma, Coushatta Tribe of Louisiana, Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Muscogee Creek Nation, Quapaw Tribe of Oklahoma, Seminole Nation of Oklahoma, Seminole Tribe of Florida, and Tunica-Biloxi Tribe of Louisiana) the opportunity to review and comment. SHPO concurrence with FEMA’s determination was received, dated August 10, 2012. The Tribes did not object within the regulatory timeframes; therefore, in accordance with Stipulation VIII.E(1) of the 2009 Statewide PA as amended and 36 CFR part 800.5(c)1, FEMA may proceed with funding the undertaking assuming concurrence. The applicant must comply with the NHPA conditions set forth in this PW. Any change to the approved scope of work will require reevaluation under Section 106. A. 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:** 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, and October 7, 2008 for Gustav.

### 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 July 5, 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.

**Correspondence/Consultation/References:** USFWS National Wetlands Inventory map (<http://www.fws.gov/nwi/>) queried July 5, 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 should be contacted to determine if consistency review required.
    - 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 LADNR at 1-225-342-9232.

**Correspondence/Consultation/References:** Louisiana Coastal Zone maps queried July 5, 2012.

### F. 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 referenced July 5, 2012.

### G. Farmland Protection Policy Act

- Project will not affect undisturbed ground. **(Review Concluded)**
- Project has a zoning classification that is other than agricultural or is in an urbanized area. **(Review Concluded)**
- Project does not affect designated prime or unique farmland. **(Review Concluded)**
- Project causes unnecessary or irreversible conversion of designated prime or unique farmland.
  - Coordination with Natural Resources Conservation Service required.
    - Farmland Conversion Impact Rating, Form AD-1006, completed.
      - Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

**Comments:** The site is located within an existing urban and developed area and FPPA is precluded.  
**Correspondence/Consultation/References:** National Resource Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/>) referenced July 5, 2012.

### H. 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 in 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.

### I. 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:** NOAA Fisheries EFH Map ([http://sharpfin.nmfs.noaa.gov/website/EFH\\_Mapper/map.aspx](http://sharpfin.nmfs.noaa.gov/website/EFH_Mapper/map.aspx)) referenced July 5, 2012.

### J. 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 and Wild or Scenic Rivers (WSR).  
**Correspondence/Consultation/References:** National Wild and Scenic Rivers (<http://www.nps.gov/rivers/wildriverslist.html>) queried July 5, 2012.

### K. 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.

### L. 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:** By Memorandum of July 2, 2012 from Frank Pagano, Mitigation Division Director of FEMA Region 6 to John Connolly, Senior Public Assistance Advisor, Louisiana Recovery Office, the 2008 Preliminary Digital Flood Insurance Rate Map (DFIRM) elevation is not required; however, the applicant must coordinate all reconstruction activities with the local floodplain manager and remain in compliance with formally adopted local floodplain ordinances. Per Advisory Base Flood Elevation (ABFE) Map LA-CC33 dated June 5, 2006, the elevation requirement for the site location is 3 feet above Highest Existing Adjacent Grade (HEAG). In compliance with EO 11988, an 8-step process, showing considered alternatives, was completed and is attached and on file. A Cumulative Final Public Notice was published 10/26/07 - 11/07/07, and is attached or on file. In addition, the applicant has successfully executed a Public Involvement Plan (PIP), which is also attached or on file. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11(d)(9), for the replacement of building contents, materials and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials and equipment outside or above the base floodplain.

**Correspondence/consultation/references:** T. Tregle, Environmental Protection 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:** Project will have no impact on wetlands.

**Correspondence/Consultation/References:** USFWS NWI map accessed on-line July 5, 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 [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:** The populations within zip code 70117 are: 33.0% White, 60.2% Black, and 5.2% Hispanic. The median household income in 2010 was \$37,726 and 22.6% of families are below poverty level. Proposed project will restore fire and emergency services to the local community.

**Correspondence/Consultation/References:** U.S. Census bureau 2000 data at (<http://factfinder.census.gov/>), referenced July 5, 2012.

### III. Other Environmental Issues

*Comments:* None.  
*Correspondence/Consultation/Reference:* N/A

#### **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) 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 LADNR at 1-225-342-9232.
- 2) 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.
- 3) The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11(d)(9), for the replacement of building contents, materials and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials and equipment outside or above the base floodplain.
- 4) 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.

- 5) 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.

## National Environmental Policy Act

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### Alternative Arrangements for NEPA Compliance

**REPORT OF FINDING: FINAL APPROVAL  
CITY OF NEW ORLEANS FIRE DEPARTMENT  
CONSOLIDATION OF ENGINES 22 & 39  
AI 1808 / PW 1844 & 9750**

The Federal Emergency Management Agency (FEMA), Environmental and Historic Preservation (EHP) Section of the Louisiana Recovery Office has determined through its Special Considerations review that the public involvement process for the above-referenced Alternate and Improved Project for the New Orleans Fire Department (NOFD) (hereafter referred to as the "Applicant"), meets the requirements of the National Environmental Policy Act (NEPA) Alternative Arrangements (AA) process. Those requirements comply with the programmatic agreement between the White House Council on Environmental Quality, the Department of Homeland Security, and FEMA. This finding is based in part on the applicant's Public Involvement Plan submitted to FEMA with a request for expedited review under Alternative Arrangements for NEPA compliance.

**PROJECT:** On August 29, 2005, Hurricane Katrina and its aftermath inundated New Orleans, including the New Orleans Fire Department (NOFD) and its facilities. Two (2) NOFD Engine Houses, Engine 22 (PW9750) and Engine 39 (PW 1844), located within the 9<sup>th</sup> Ward area of New Orleans were severely damaged. Both structures were determined to be eligible for replacement. The proposed project will consolidate the functions of these two NOFD facilities into a single new fire station to serve the same area within the 9<sup>th</sup> Ward.

The 9<sup>th</sup> Ward of New Orleans sustained some of the worst damage as a result of Hurricane Katrina and the subsequent levee failures and flooding that followed the levee breaks. The two damaged engine houses have been found to be inadequate in size, and not ideally located, to serve the current residents of the 9<sup>th</sup> Ward, as well as additional residents who may yet return to the 9<sup>th</sup> Ward

Station 22 is located at 2041 Eugenia Street. It was a two bay, single story structure of approximately 3,175 square feet. The building houses administrative offices, living quarters for firefighters as well as bathroom and kitchen facilities. The station housed fire personnel on a 24/7 basis. The building was constructed in 1959 and was not found to have historic significance.

Station 39 is located at 6038 St. Claude Avenue. The station is a single bay, single story structure of approximately 2,200 square feet. Built in 1924, the wood frame, stucco exterior structure has a tab-seal shingle roof. It was found to be historically significant since it was the first engine house to use motorized fire fighting apparatus', rather than horse drawn equipment.

The proposed replacement fire station will be located at 5600 N. Claiborne, New Orleans, Louisiana 70117 (29.9651, -90.01393). The new station and the necessary utilities are a part of this project work sheet. The new 8,862 square foot station will have 3-bays, administrative offices, living quarters, and bathroom and kitchen facilities. This station will house fire and rescue personnel 24/7. Any increase in square footage will be to accommodate new equipment as well as to meet current codes and standards.

**BACKGROUND:** As part of the Greater New Orleans Area critical infrastructure, this project qualifies for expedited considerations under the Alternative Arrangements for NEPA compliance. The Alternative Arrangements 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.

**PUBLIC INVOLVEMENT:** Applicants wishing to utilize Alternative Arrangements are required to follow a public involvement plan and to obtain public input regarding the proposed project.

**ANALYSIS of PUBLIC INVOLVMENT for this project:**

1. The Applicant is responsible for public involvement with this project.
2. The Applicant, in cooperation with Federal, state, and local agencies and other stakeholders, has demonstrated meaningful public involvement with regards to the proposed projects.
3. The Applicant has taken the following actions:
  - a) Full participation in the Unified New Orleans Plan (UNOP) developed immediately following the disaster.
  - b) In September of 2007 "The Target Area Redevelopment Plan," the 9<sup>th</sup> Ward of New Orleans was designated as a "Rebuild Area" in recognition of both its historic significance and the degree of devastation that took place therein.
  - c) Community meetings have been held to solicit input on future plans. Meetings will be held until the fire stations are rebuilt.
  - d) There were no adverse comments of record from constituents. The largest concern in the planning phase was the timing of critical infrastructure repair or replacement, and when would services be available.
  - e) The Applicant submitted a public involvement plan to FEMA on July 17, 2012. It includes the following:
    - Mayor's Priority Projects -The Mayor of New Orleans released his listing of Priority Projects to the public on August 18, 2010. The list of projects includes the Engine 22/39 project. This project is identified as being located at North Claiborne Ave and Caffin Ave. The project is described as a "Combined two (2) Company, Three (3) bay fire station, complete with living quarters for firemen."
    - City of New Orleans Capital Budget -The Capital Budget Hearing before the New Orleans City Council, during which the budget for Engine 22/39 was addressed, was televised via New Orleans public access television. The budget hearing was also available for viewing by online streaming, and was also posted on the City of New Orleans website nola.gov.
    - City Council Member District E Community Meeting -The City of New Orleans Councilmember from District E held community meetings to describe and update the community of District E regarding recovery projects planned for that district. The public was allowed to comment and ask questions regarding specific recovery projects, namely Engine 22/39.
    - Other Community Meetings -In addition to the community meetings held by the City Council, the City of New Orleans held other community meetings to demonstrate planned design, site selection, costs, and schedules for the Ninth Ward Engine House. The community was given the opportunity to comment and ask questions regarding specific projects via these community meetings. The recovery project Engine 22/39 was addressed during meetings that occurred on the following dates: June 17, 2011; August 30, 2011; October 26, 2011; and March 28, 2012.
    - The Applicant is included and represented on the City of New Orleans website. On this website, details of all recovery projects are listed weekly. Prototypes and plans are placed on the public website and the public has the opportunity to comment via email or by US mail.

**PUBLIC COMMENT & RESPONSE:** The Applicant has been responsive to public concerns and comments. Regarding this project there have been no substantive issues from the public with the exception of the public's plea to reestablish these critical fire and rescue services to this devastated part of the city.

**FINDING:**

- A. Documentation Sufficient** Based on documentation provided by the applicant, FEMA's review has determined that the Applicant has conducted a satisfactory process of public involvement and outreach in its project development and is otherwise eligible for consideration under Alternative Arrangements for NEPA compliance. The Applicant is responsible for archiving public involvement materials relative to the projects listed above. This material will be available at close-out for authentication and such documentation will be made available to the close-out reviewer.
- B. Final Approval** The Applicant has been responsive to requests for information about the above-referenced project. Due to satisfactory completion of public involvement processes identified above, and due to submission of sufficient documentation concerning the local planning process, The Environmental/Historic Preservation Staff of the FEMA Louisiana Recovery Office has determined that the applicant has sufficiently complied with the requirements for Alternative Arrangements as outlined in Federal Register Vol. 71, No. 56, Page 14712, March 23, 2006.



Kevin Mannie, Lead Environmental Protection Specialist  
FEMA, Louisiana Recovery Office

Date 08/16/2012

# CITY OF NEW ORLEANS

## 8-STEP PROCESS CHECKLIST

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

DATE: 07/18/12

PREPARED BY: Tommy Tregle, Environmental Protection Specialist

PROJECT: City of New Orleans Fire Department Engines 22 & 39 Consolidation

FIPS #: 071-55000-00, PW Donors: 1844 & 9750, AI 1808

LOCATION: 5600 N. Claiborne Avenue, New Orleans, LA 70117

LAT/LONG: 29.96569, -90.013892

**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 project is located in a floodplain as mapped by:

Per Preliminary Digital Flood Insurance Rate Map (DFIRM) 22071C0235F, dated 11/13/2008, the project is located within an "AE" EL 8 Zone, a Special Flood Hazard Area (SFHA) subject to inundation by the 1% annual chance (100-year) flood with base flood elevations determined.

The project is located in a wetland as identified by:

The project is not located in a wetland as identified by a review of the Fish and Wildlife Service (FWS) Wetland inventory.

**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 Public Notice was published in the New Orleans Times Picayune, Baton Rouge Advocate, Lafayette Daily Advertiser, Lake Charles American Press

and the Hammond Star, November, 7-9, 2005. Additionally, the applicant has executed a Public Involvement Plan (PIP) for this project which is included or on file.

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 are described below:

Alternative 1: No action is not a viable alternative; it would leave the City of New Orleans without necessary fire department resources posing a safety risk to the City's residents.

Alternative 2: Replacement of the two smaller fire stations at their original locations is not a viable alternative. The City of New Orleans has clarified the need for one larger consolidated fire station, and a larger station maintaining the same capacity and functions would not fit on either of the two original locations.

Alternative 3: Consolidation and replacement of the fire station engines are the most practical alternative because it would best serve the needs of the City of New Orleans and the surrounding communities. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11(d)(9), for the replacement of building contents, materials and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials and equipment outside or above the base floodplain.

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 - Alternative identified is described below:

Alternative 3: Consolidation and replacement of the facility at the proposed location is the most practical alternative and is not likely to have any additional adverse affects on the floodplain as would either of the original locations.

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 Alternative Arrangements REC document or is described below:

Alternative 3: Replacement of the building at the proposed alternate location is not likely to have an adverse affect on the floodplain.

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 its potential to disrupt floodplain and wetland values and second, if alternatives preliminarily rejected at step # 3 are practicable in light of the information gained in steps # 4 and # 5. FEMA shall not act in a floodplain or wetland unless it 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:

Consolidation and replacement of the damaged fire station buildings on the proposed larger alternate location is the most practical option.

- 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:

Public notice dated:

As per 44 CFR Part 9.12, a Cumulative Final Public Notice was published 10/26/2007 and documentation is on file.

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 insure compliance of the order(s).

As per 44 CFR 9.11 mitigation and minimization measures must be obtained by applicant.

- Applicable - Oversight responsibility established as follows: