

Draft Environmental Assessment

DPW Field Offices at Genois
City of New Orleans
FEMA-1603-DR-LA

New Orleans, Orleans Parish, Louisiana
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FEMA

U.S. Department of Homeland Security
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LIST OF ACRONYMS AND ABBREVIATIONS

ABFE	Advisory Base Flood Elevation
ACHP	Advisory Council on Historical Preservation
ACM	Asbestos containing materials
APE	Area of Potential Effects
AST	Above ground storage tank
BFE	Base Flood Elevation
BMP	Best Management Practices
CAA	Clean Air Act
CAP	Corrective Action Plan
CBD	Central Business District
CBRA	Coastal Barrier Resources Act
CBRS	Coastal Barrier Resources System
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
C.F.R.	Code of Federal Regulations
CNO	City of New Orleans
COC	Constituent of concern
CTR	In-house contract consultant
CUP	Coastal Use Permit
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
dBA	Decibel, on the A-weighted scale
DEA	Draft Environmental Assessment
DFIRM	Digital Flood Insurance Rate Map
DHS	U.S. Department of Homeland Security
DNL	Day-night average sound level
DoA	U.S. Department of the Army
DPW	Department of Public Works
EA	Environmental Assessment
EDMS	Electronic Document Management System
EIS	Environmental Impact Statement
EL	Elevation
EMD	Equipment Maintenance Division
E.O.	Executive Order
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FHL	Foundation for Historical Louisiana
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
GHG	Greenhouse gas
GPO	U.S. Government Printing Office
HEAG	Highest Existing Adjacent Grade
HSDRRS	Hurricane Storm Damage Risk Reduction System

HUD	U.S. Department of Housing and Urban Development
IER	Individual Environmental Report
LA GOHSEP	Louisiana Governor's Office of Homeland Security and Emergency Preparedness
LaDOTD	Louisiana Department of Transportation and Development
LCRP	Louisiana Coastal Resources Plan
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
LPDES	Louisiana Pollutant Discharge Elimination System
LPV	Lake Pontchartrain and vicinity
MMG	Materials Management Group, Inc.
MOA	Memorandum of Agreement
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NTHP	National Trust for Historic Preservation
OCM	Office of Coastal Management
OSHA	Occupational Safety and Health Administration
PA	Public Assistance
PAH	Polycyclic aromatic hydrocarbon
PCB	Polychlorinated biphenyl
P.L.	Public Law
PRC	Preservation Resource Center
RCRA	Resource Conservation and Recovery Act
RECAP	Risk Evaluation / Corrective Action Plan
RHA	Rivers and Harbors Act
SARA	Superfund Amendments and Reauthorization Act
sf	Square-foot, square feet
SFHA	Special Flood Hazard Area
SHPO	State Historic Preservation Office/Officer
SIP	State Implementation Plan
SOV	Solicitation of Views
TSCA	Toxic Substances Control Act
USACE	U.S. Army Corps of Engineers
U.S.C.	U.S. Code
USDOI	U.S. Department of the Interior
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
UST	Underground storage tank
VRP	Voluntary Remediation Program
WBV	West Bank and Vicinity

1 INTRODUCTION

1.1 Hurricane Katrina

Hurricane Katrina made landfall on 29 August 2005, near the town of Buras, Louisiana, with sustained winds of more than 125 miles per hour. The accompanying storm surge damaged levees and entered the city of New Orleans from various coastal waterways, resulting in flooding throughout much of the city. The storm's high winds, heavy rains, and flooding caused considerable damage to the site of the City of New Orleans' Department of Public Works Field Offices complex.

1.2 Project Authority

President George W. Bush declared a major disaster for the State of Louisiana (FEMA-1603-DR-LA) on 29 August 2005, authorizing the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) to provide federal assistance in designated areas of Louisiana. This assistance is pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), Public Law (P.L.) 93-288, as amended. Section 406 of the Stafford Act authorizes FEMA's Public Assistance (PA) Program to assist with funding the repair, restoration, reconstruction, or replacement of public facilities damaged as a result of the declared disaster.

This Draft Environmental Assessment (DEA) has been prepared in compliance with the National Environmental Policy Act of 1969 (NEPA), the President's Council on Environmental Quality (CEQ) regulations implementing NEPA (Title 40 of the Code of Federal Regulations [C.F.R.] §§ 1500-1508) (Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act 2005), and FEMA's regulations implementing NEPA (44 C.F.R. §§ 9-10) (Environmental Considerations 1980; Floodplain Management and Protection of Wetlands 1980).

The purpose of this DEA is to analyze potential environmental impacts of the proposed project. FEMA will use the findings in this DEA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

1.3 Background

The City of New Orleans (CNO) has requested, through the State of Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP), that FEMA supply disaster assistance consisting of federal grant funds in accordance with the provisions of the Stafford Act. FEMA has determined that CNO is eligible for federal disaster public assistance and that CNO's Department of Public Works (DPW) Field Offices complex qualifies for repair as a critical or non-critical facility serving the needs of the general public.

The City has determined that repair of the damaged facility to its pre-Katrina specifications would not be in the best interest of the community, however. Consequently, in accordance with 44 C.F.R. § 206.203(d), CNO has requested an Improved Project. An Improved Project is any project where the applicant chooses to make additional improvements to an existing facility in the course of making disaster repairs. An Improved Project restores the facility and maintains its function, either at the current site or in another existing or new facility. For the current request, CNO proposes to demolish eight (8) of the nine (9) existing structures and consolidate their functions into a single, multi-purpose building at the same location, 838 S. Genois Street, New Orleans, Louisiana 70119, Orleans Parish (*Figure 1*). Additional operations from elsewhere in the city also would be relocated to the site.

1.4 General Site Description

The city of New Orleans is located entirely within the parish of Orleans. Orleans Parish is primarily urban, with the exception of some areas of coastal marsh in the eastern part and woodlands on the west bank of the Mississippi River (the Lower Coast). The parish is entirely within the Mississippi River delta, with a subtropical, humid climate typical of coastal regions along the Gulf of Mexico. The average winter temperature is 54°F and the average summer temperature is 81°F. Orleans Parish typically receives 59 inches of rainfall annually (Trahan 1989).

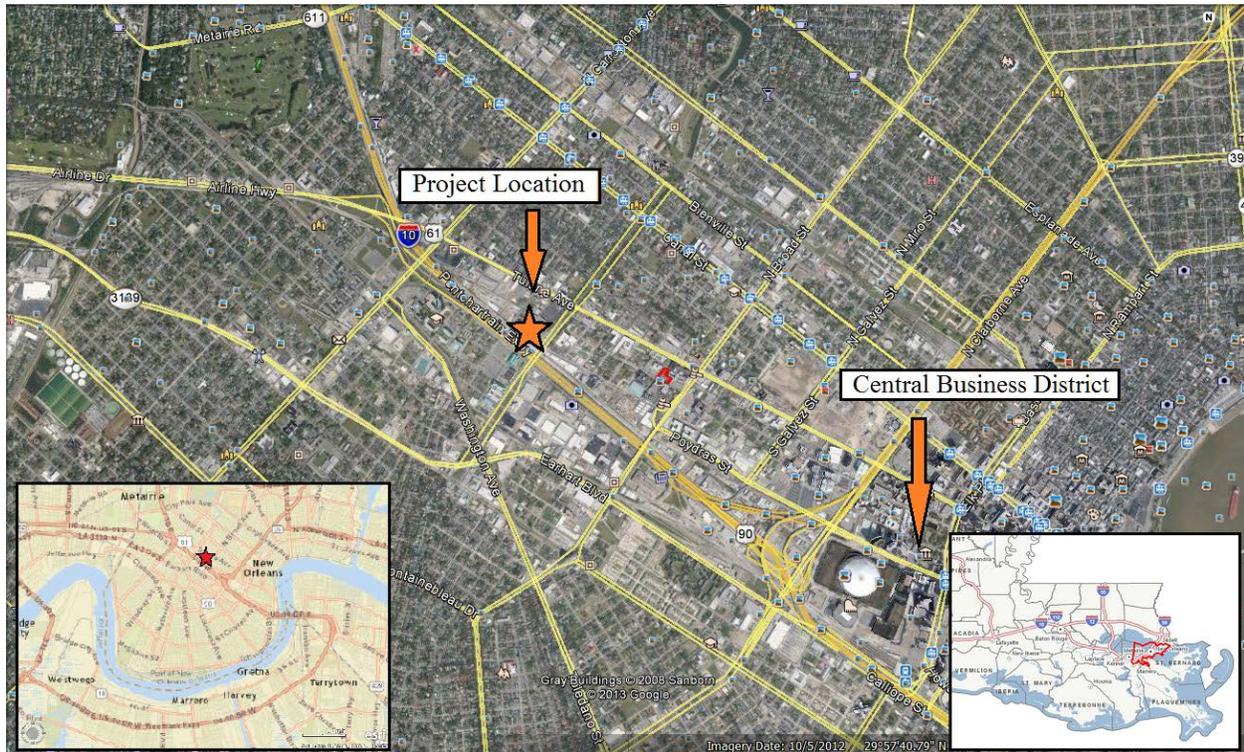


Figure 1 – DPW Field Offices at Genois, project vicinity (Google Earth 2014)

Although the corporate boundary of the city of New Orleans has been unchanged since the 1800s, the city's urban footprint has expanded significantly since then. Before 1900, urbanization was confined primarily to natural levees and ridges along the Mississippi River and elsewhere (the Esplanade Ridge, for example). In 1913, construction of a levee and pump system began, which allowed for the development of lower-lying areas and wetlands. Between 1913 and 2000, the city's urbanized footprint almost doubled to approximately 71 square miles. The extent of urbanization has been relatively unchanged since the mid-1980s, however, when development slowed considerably due to a lack of large remaining developable tracts within the city, the general economic downturn resulting from the "oil bust," and ongoing concerns about quality of life issues related to crime and public education (CNO 2010).

New development stalled in the 1980s but, by the 1990s, the city began to witness small-scale reinvestment within established neighborhoods and larger adaptive re-use and limited infill development projects within and around the Central Business District (CBD), or "downtown" area. The CBD is located adjacent to the project site addressed by this DEA. Since Hurricane Katrina, due to the extent of flooding and numerous other impediments to recovery, many structures within the city remain unoccupied, while others have been demolished and left as vacant lots (CNO 2010).

The proposed project site itself is located within the Mid-City neighborhood, which in turn is encompassed within CNO Planning District 4. According to the Mid-City Neighborhood Planning District 4 Rebuilding Plan (n.d.), land use within the Mid-City neighborhood pre-Hurricane Katrina was dominated by single- and two-family residences; however, multi-family, commercial, industrial, and institutional uses also made up a significant fraction. The current Master Plan proposes to increase the amount of commercial, mixed-use medium- and high-density, and mixed-use health/life science zones within Planning District 4, primarily through the incorporation of existing vacant and underutilized parcels (CNO 2010).

2 PURPOSE AND NEED

The objective of FEMA's PA Grant Program is to provide assistance to state, tribal, and local governments, as well as certain types of private, non-profit organizations, such that communities can quickly respond to, recover from, and mitigate major disasters and emergencies. The massive flooding associated with Hurricane Katrina severely impaired the operation of the DPW Field Offices. All of the on-site structures were flooded with up to three (3) feet of brackish water, causing considerable damage to interiors and equipment (*Figure 2*).

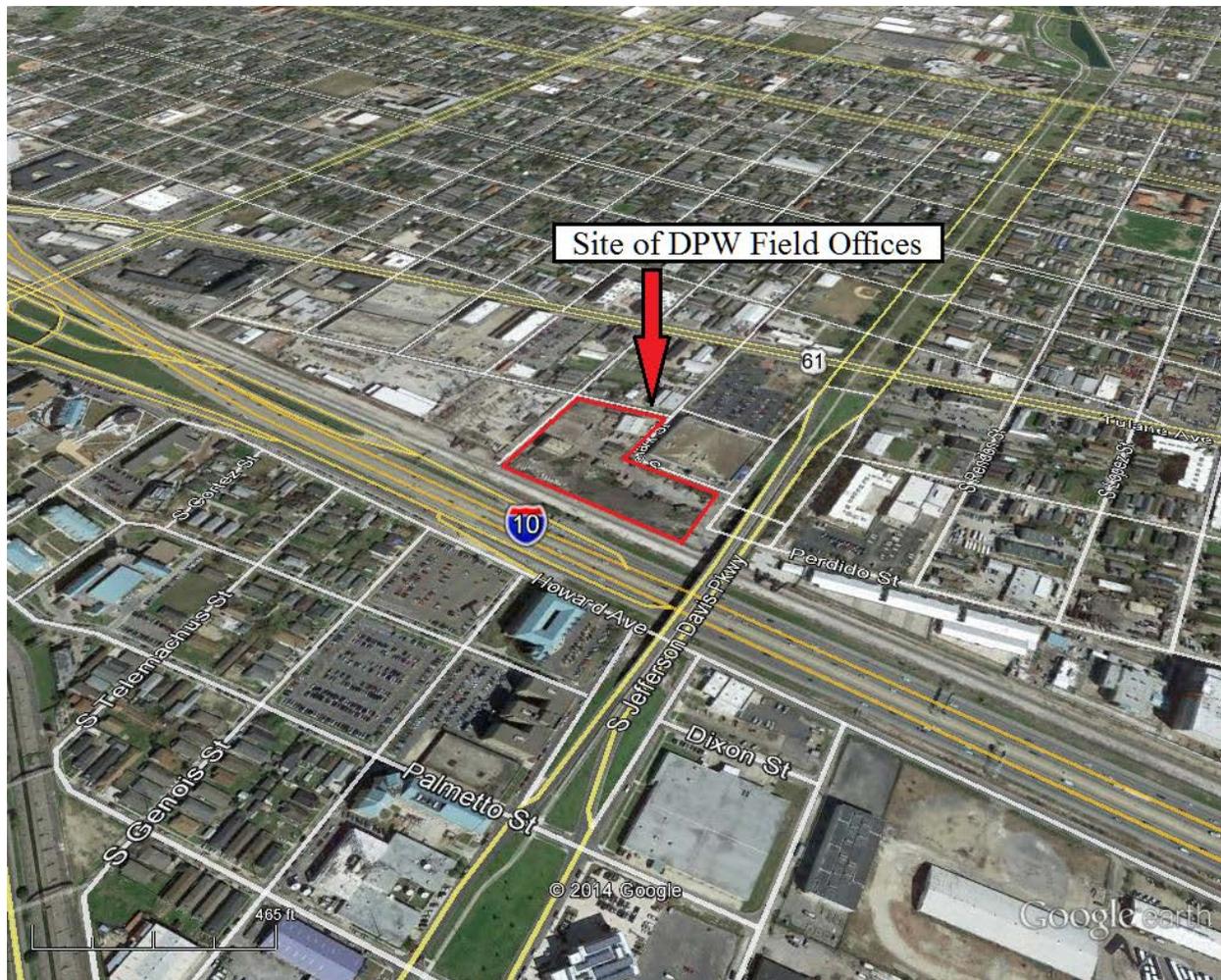


Figure 2 – Project site location (bordered in red) (Google Earth 2014)

As a result of the degree of flood damage and the age of the buildings, operations at this location have never fully recovered after the storm. The proposal currently under review in this DEA is to construct a new facility on the property once all existing structures, with the exception of the Equipment Maintenance Division (EMD) building, have been demolished and site contamination remediated. This project, as proposed, would serve to replace the pre-storm DPW functions, as well as permit the consolidation of other functions currently located elsewhere in the city. The new facility would allow for relocation of CNO's auto impound lot, transfer of the offices of the parking meter readers, staging of storm sewer vacuum trucks, and relocation of the Traffic Sign and Signal Shop. The Traffic Sign and Signal Shop

would occupy the existing EMD building on the site. The new main building to be constructed would house administrative, inventory, and maintenance/shop functions.

Consolidation of these activities at one, centrally-located site would not only increase efficiency of operations, but is desirable due to other CNO plans for the relocated sites. For example, the existing auto impound lot and associated office are too small to accommodate the current volume of towed vehicles; CNO desires to repurpose this space for an undetermined recreational opportunity for local residents. The Traffic Sign and Signal Shop is within the footprint of the proposed Lafitte “Greenway” Corridor Revitalization Plan (CNO 2013) and is proposed for demolition. Another location for this facility is being sought.

3 ALTERNATIVES

3.1 Overview of Alternatives

The NEPA process consists of an evaluation of the environmental effects of a federal undertaking, including its alternatives. Three alternatives have been proposed and reviewed including 1) the “No Action” alternative, 2) Repair of the Existing Buildings with Upgrades to Current Codes and Standards, and 3) Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action).

At the present time, DPW and various other CNO functions are located at numerous separate sites within Orleans Parish. The auto impound lot is under an elevated portion of Interstate 10 (400 N. Claiborne Avenue), while the offices of the parking meter readers are at City Hall (1300 Perdido Street). At present, the storm sewer vacuum trucks are staged at various locations within the city. The Traffic Sign and Signal Shop is located at 2832 Lafitte Street. The current DPW Field Office address is 838 S. Genois Street (*Figure 3*).

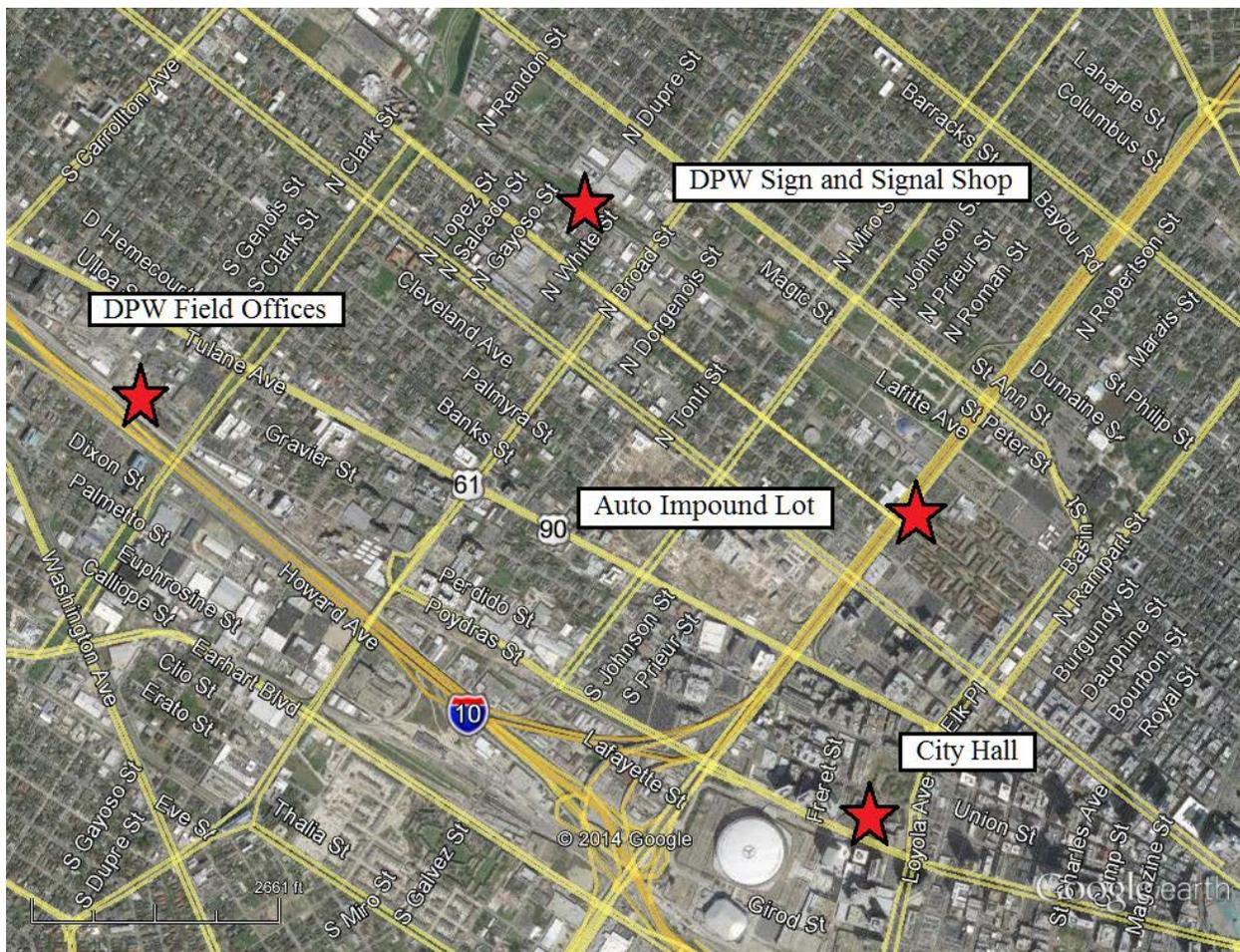


Figure 3 – Current and contributing project sites (Google Earth 2014)

3.2 Alternative 1 – No Action

Under the “No Action” alternative, there would be no additional repairs or consolidation of DPW functions. Consequently, the facility would continue to operate under current conditions. “No Action”

would forego the opportunity to create a more modern, efficient, and cost-effective consolidated facility and would leave the damaged structures and their environs in an unsafe condition, representing a potential safety hazard to the public and nearby properties. The auto impound lot would remain inadequate to accommodate the current volume of towed vehicles, while the local citizens would lose their opportunity for a new recreational space. In addition, the existing Sign and Signal Shop would be an impediment to improvements associated with the Lafitte Greenway.

3.3 Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

This alternative would repair the buildings currently in use to pre-disaster condition, with upgrades to current codes and standards. Although this alternative would allow CNO to continue current operations at pre-storm capacity, the opportunity to streamline DPW activities and increase efficiency would be forfeited. In the case of the auto impound lot, due to ever increasing space limitations, vehicles left unclaimed for too long a period at the N. Claiborne Avenue site are removed to another, more remote, location at 10200 Almonaster Boulevard. This secondary site is approximately eight (8) miles to the east-northeast of the main impound lot, making recovery of an impounded vehicle more difficult. If the existing Sign and Signal Shop is not relocated, the Lafitte Greenway project will be adversely impacted. Finally, if existing buildings on the DPW project site are repaired and not removed, an opportunity to improve environmental safety by remediating this contaminated site will be lost.

3.4 Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

The Applicant proposes to use eligible funding to consolidate the functions of several DPW locations at one new, multi-purpose facility. This approximate 5-acre parcel is currently the site of the DPW Field Offices at Genois, but since the late 1800s, has been the location of several previous heavy industries. Alternative 3 would construct a new consolidated, fenced facility on the property once all but one of the existing structures has been demolished (*Figures 4 and 5*) and remediation of past site contamination as directed by the Louisiana Department of Environmental Quality (LDEQ) has been performed. The new complex would consist of three primary areas: (a) a new impound lot with a security booth, an office building with a 4,050 square-foot (sf) footprint, and 202 fenced parking spaces, (b) a sign and signal shop utilizing and repurposing the existing EMD garage building, 2 additional modular buildings (1,296 sf and 1,989 sf), and 12 on-site parking spaces, and (c) a maintenance area with a 4,500 sf office/shop/supply building; storage areas for asphalt, sand, and ground limestone; a truck wash; and open and covered parking for employees, servicing of vehicles, and overnight equipment storage. The entire facility would contain 362 regular parking spaces, both inside and outside of the fenced area, as well as 44 nighttime parking spaces for storm sewer vacuum trucks and other day-use vehicles.

This project, as proposed, would serve not only to replace the pre-storm DPW functions, but also permit the consolidation of other functions currently located elsewhere in the city. The new facility would allow for relocation of CNO's auto impound lot, transfer of the offices of the parking meter readers, staging of vacuum trucks, and relocation of the existing Traffic Sign and Signal Shop. Consolidation of these activities at one, centrally-located site would not only increase efficiency of operations, but is desirable due to other CNO plans for the relocated sites. The geographic coordinates of the approximate center of the DPW Field Offices site are Latitude 29.96441°N, Longitude -90.10146°W. Once demolition of the existing buildings and remediation of the property have been completed, the entire parcel, with the exception of the existing EMD garage building to be retained, would be capped with several feet of fill material prior to any new construction. A discussion of the demise of the existing auto impound lot and sign/signal shop is beyond the scope of this EA, partially due to the lack of a clear project scope of work for these re-development sites.

The proposed project site would be served/supported by potable water, wastewater, storm water, natural gas, electricity, and telecommunication utility systems already in place within or above-ground along Gravier Street. Sanitary sewer, water service, and storm sewers would connect to existing DPW and CNO Sewerage and Water Board public utilities. Natural gas would be provided by Entergy Corporation. The new structure would connect to above-ground power, telephone, and cable television lines. Water service also would connect to existing CNO public utilities within Gravier Street.

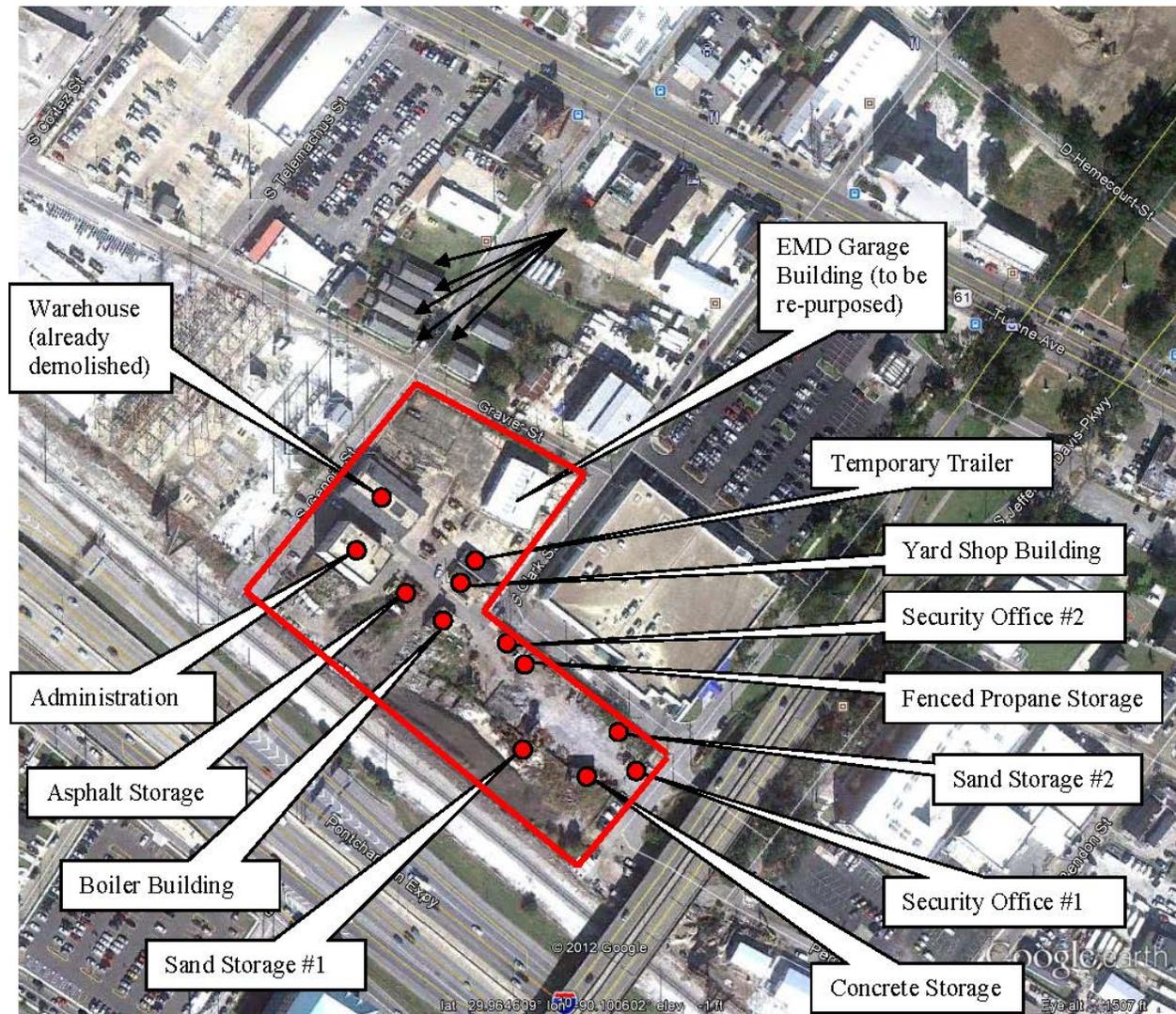


Figure 4 – Existing structures at project site location (project site outlined in red). Structures to be removed/demolished prior to construction are indicated by red circles.



Figure 5 – Proposed site plan

4 AFFECTED ENVIRONMENT AND ALTERNATIVES ANALYSIS

4.1 Geology, Soils, and Topography

4.1.1 Regulatory Setting

The Farmland Protection Policy Act (P.L. 97-98, §§ 1539-1549; 7 U.S.C. 4201, et seq.) was enacted in 1981 and is intended to minimize the impact federal actions have on the unnecessary and irreversible conversion of farmland to non-agricultural uses. This law assures that, to the extent possible, federal programs and policies are administered in a way that is compatible with state and local farmland protection policies and programs. In order to implement the FPPA, federal agencies are required to develop and review their policies and procedures every two (2) years. The FPPA does not authorize the federal government to regulate the use of private or non-federal land or, in any way, affect the property rights of owners.

The Natural Resources Conservation Service is responsible for protecting significant agricultural lands from irreversible conversions that result in the loss of essential food or environmental resources. For purposes of the FPPA, farmland includes prime farmland, unique farmland, and farmland of statewide or local importance. Prime farmland is characterized as land with the best physical and chemical characteristics for production of food, feed, forage, fiber, and oilseed crops (USDA 2015a). Farmland subject to FPPA requirements does not currently have to be used for cropland; it also can be forest land, pastureland, or other land, but not water or built-up land.

4.1.2 Existing Conditions

Within Orleans Parish, approximate surface elevations range from 12 feet above sea level on Mississippi River berms to 5 feet below sea level within the drained wetlands inside the city levees. Undrained marshes and swamps typically range from sea level to about one (1) foot above in elevation (Trahan 1989). According to the Louisiana Geological Survey, the geology in the vicinity of the project site is predominantly Holocene Alluvium, which also covers about 55% of the state (*Figure 6*). The Holocene Epoch began approximately 11,700 years ago and continues to the present day. These alluvial soils consist of sandy and gravelly river channel material overlain by sandy to muddy natural levee deposits, often with an organic-rich muddy backswamp layer in between (Louisiana Geological Survey 2010). During the Holocene Epoch, there has been no known active faulting in the New Orleans area. The city is “seismically quiescent” (Seed et al. 2006).

The soils of Orleans Parish vary in their potential for land use and urban development. According to the *Soil Survey of Orleans Parish, Louisiana* (Trahan 1989), soils in and surrounding the project location consist of Sharkey (now known as Schriever) clay, which is classified as prime farmland. Schriever clay is composed of poorly drained, firm, mineral soils in low positions on the natural levees of the Mississippi River and its distributaries, or branches of a river that flow away from the main stem, as in a delta. Although this soil has high fertility, water and air move through it at a very slow rate, contributing to slow runoff and surface ponding for short periods after heavy rains. A seasonally high water table is present during winter and spring, fluctuating between the soil surface and a depth of about two (2) feet. Schriever clay is poorly suited to urban and intensive recreation uses; however, it is considered one of the best soils present in Orleans Parish for these purposes. Because it is a firm, mineral soil, the foundations of most low structures can be supported adequately without the need for piling.

In Orleans Parish, all of the water used for public consumption and certain industrial applications is taken from the Mississippi River. Even though the quality of the water varies somewhat with the volume of flow in the river, it is considered suitable for public use (Trahan 1989). Groundwater below the study area is located in three (3) of the four (4) major aquifers present in Orleans Parish. These aquifers consist of the Gramercy (up to 400 feet below the soil surface), the Gonzales-New Orleans (up to 900 feet deep),

and the “1,200-foot” Sand. The Norco Aquifer, present in some parts of Orleans Parish, does not underlay the project area. The Gramercy and Norco aquifers are not used for municipal or industrial purposes due to their high salt content. The portion of the Gonzales-New Orleans aquifer north of the Mississippi River is freshwater; however, high levels of chloride make it unsuitable for public consumption. It is used, instead, for industrial purposes such as cooling. The “1,200 foot” Sand aquifer contains too much salt for most uses (Prakken 2009). A 2014 database search by the Materials Management Group, Inc. (MMG) indicates there are 331 wells within a one-mile radius of the proposed project site; however, none is used for drinking water purposes.

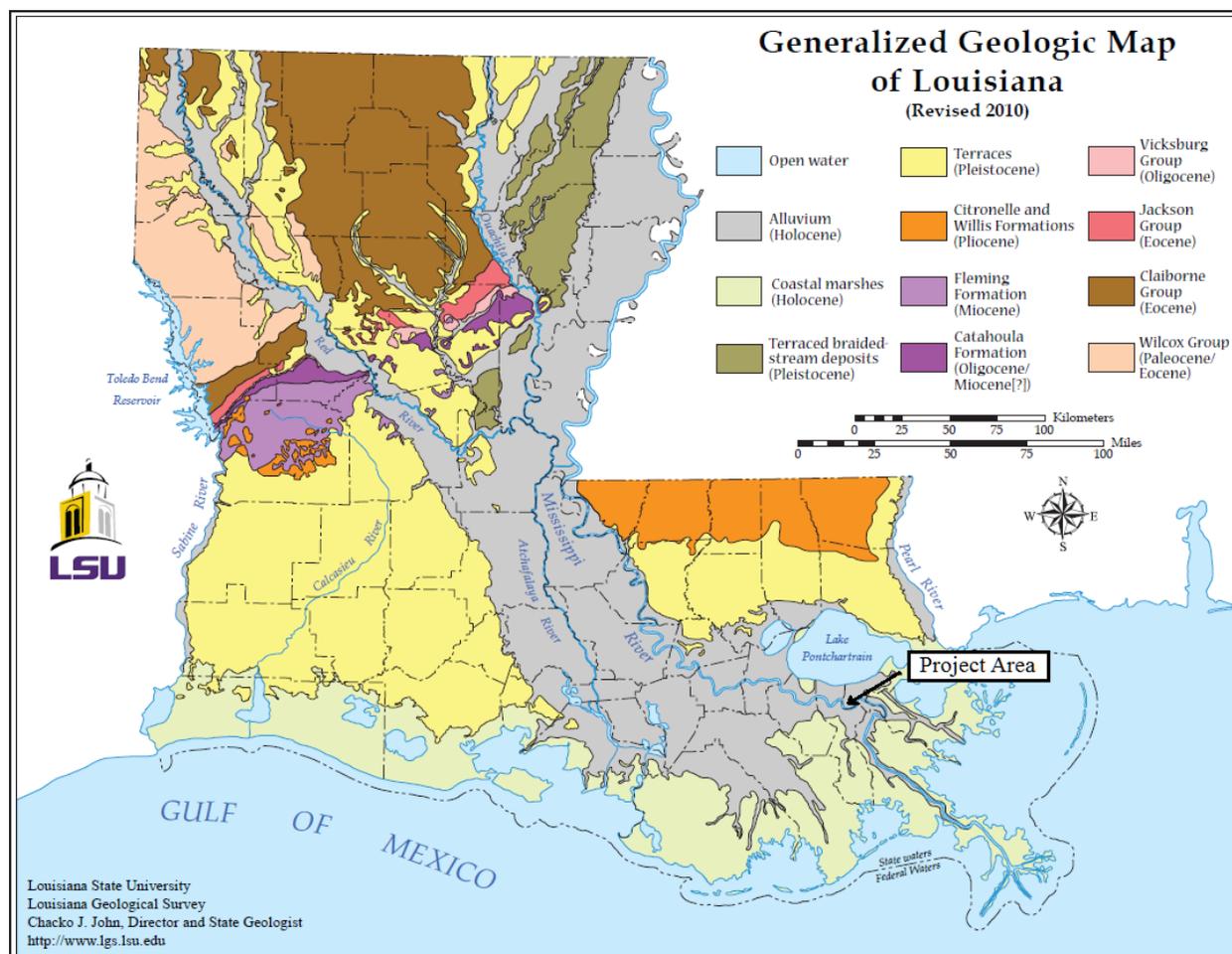


Figure 6 – Generalized Geologic Map of Louisiana indicating project area (Louisiana Geological Survey 2010)

4.1.3 Environmental Consequences

Alternative 1 – No Action

The “No Action” alternative would have no significant impacts on prime farmland, unique farmland, farmland of statewide or local importance, or other important geologic resources.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

Repair of the DPW facility to pre-disaster condition also would have no impact on important farmland or other geologic resources. All work performed would be restricted to currently existing structures.

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

The existing DPW Field Offices site is fully developed, with no natural soil surface remaining. Although the soil mapped in this area is considered to be prime farmland (USDA 2015b), the FPPA addresses the conversion of farmland to non-farmland uses only. Because this site is already a developed, urbanized area, the FPPA is precluded. No other significant impacts to geologic resources resulting from Alternative 3 are anticipated. For a discussion of pending remediation activities to remove contamination and improve soil quality, see Section 4.10: Hazardous Materials.

4.2 Wetlands and Waters of the United States

4.2.1 Regulatory Setting

4.2.1.1 Section 401 of the Clean Water Act

Section 401 of the Clean Water Act (CWA) requires state certification of all federal licenses and permits in which there is a “discharge of fill material into navigable waters.” The certification process is used to determine whether an activity, as described in the federal license or permit, would impact established site-specific water quality standards. A water quality certification from the issuing state, LDEQ in this case, is required prior to the issuance of the relevant federal license or permit. The most common federal license or permit requiring certification is the U.S. Army Corps of Engineers (USACE) CWA § 404 permit.

4.2.1.2 Section 402 of the Clean Water Act

The National Pollutant Discharge Elimination System (NPDES) program was created by § 402 of the CWA. This program authorizes the U.S. Environmental Protection Agency (USEPA) to issue permits for the point source discharge of pollutants into waters of the United States. Through a 2004 Memorandum of Agreement, the USEPA delegated its permit program for the state of Louisiana to LDEQ. The ensuing Louisiana Pollutant Discharge Elimination System (LPDES) program authorizes individual permits, general permits, stormwater permits, and pretreatment activities that result in discharges to jurisdictional waters of the state.

4.2.1.3 Section 404 of the Clean Water Act

As defined in 33 C.F.R. § 328.3,

(a) The term *waters of the United States* means

- (1) All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- (2) All interstate waters including interstate wetlands;
- (3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters:
 - (i) Which are or could be used by interstate or foreign travelers for recreational or other purposes; or
 - (ii) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

- (iii) Which are used or could be used for industrial purpose by industries in interstate commerce;
- (4) All impoundments of waters otherwise defined as waters of the United States under the definition;
- (5) Tributaries of waters identified in paragraphs (a) (1) through (4) of this section;
- (6) The territorial seas;
- (7) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) (1) through (6) of this section.

Wetlands are defined as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas” (33 C.F.R. § 328.3[b]) (Regulatory Programs of the Corps of Engineers 1986). The USACE, through its permit program, regulates the discharge of dredged or fill material into waters of the U.S., including wetlands, pursuant to § 404 of the CWA. In addition, the USEPA has regulatory oversight of the USACE permit program, allowing the agency under § 404c to veto USACE-issued permits where there are unacceptable environmental impacts.

4.2.1.4 Section 10 of the Rivers and Harbors Act of 1899

Section 10 of the Rivers and Harbors Act of 1899 (RHA) regulates structures or work in or affecting navigable waters. Navigable waters under this statute are defined as “those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce” (33 C.F.R. § 329.4) (Regulatory Programs of the Corps of Engineers 1986). The USACE implements a permit program to evaluate impacts to navigable waters and their navigable capacity under § 10 (jointly with § 404 of the CWA when a discharge of fill material is also involved). Regulated structures include such objects as buoys, piers, docks, bulkheads, and jetties, while work includes dredging or filling activities.

4.2.1.5 Executive Order 11990 – Protection of Wetlands

Executive Order (E.O.) 11990, Protection of Wetlands, directs federal agencies to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the values of wetlands for federally funded projects (U.S. President 1977b). FEMA regulations for complying with E.O. 11990 are found at 44 C.F.R. § 9, Floodplain Management and Protection of Wetlands (1980).

4.2.2 Existing Conditions

Past human interventions have significantly modified the natural hydrologic regime within Orleans Parish. Levees along the Mississippi River now prevent the annual overbank flooding that previously occurred. Water from precipitation is instead discharged into the wetlands that remain via pumping stations and floodgates which are part of the channelized drainage network within the city’s leveed areas. As mentioned earlier, a significant reduction in wetland acreage occurred in the early to mid-20th Century due to this drainage network. Elsewhere in the parish, deep canals have been excavated for logging, drainage, improved navigation and, in later years, oil and gas development. These and other similar modifications to the local landscape allowed freshwater to enter the estuary more quickly from point sources. The sidecast excavated material along the canals caused segmentation of the wetlands and interfered with natural circulation. The deeper water within the canals allowed tidal fluctuation to extend farther inland, increasing saltwater intrusion during drier periods. Although major saltwater intrusions into the Mississippi River usually do not extend as far upstream as Orleans Parish, intrusions through various canals and channels do reach other surface waters in most areas of the parish. Because of these

human-created conditions, hydrologic circulation now reflects an unnatural competition between local runoff, discharges from diked areas, and daily tides. As a result, a stable hydrologic regime has been altered relatively rapidly into one with greater fluctuations in water levels, salinity values, and sediment transfer/deposition (Templett 1982).

All DPW sites discussed in this DEA are currently filled, paved, or occupied by buildings. As a result, there are no navigable waters or other waters of the U.S. present on these sites. In addition, according to the U.S. Fish and Wildlife Service’s (USFWS) National Wetlands Inventory map, there are no wetlands within or near the project area (*Figure 7*) (USDOI 2015e). None of the locations exhibit any appreciable relief. Stormwater runoff evacuates the sites via the city’s underground sewer system and thence to the city’s channelized drainage network.

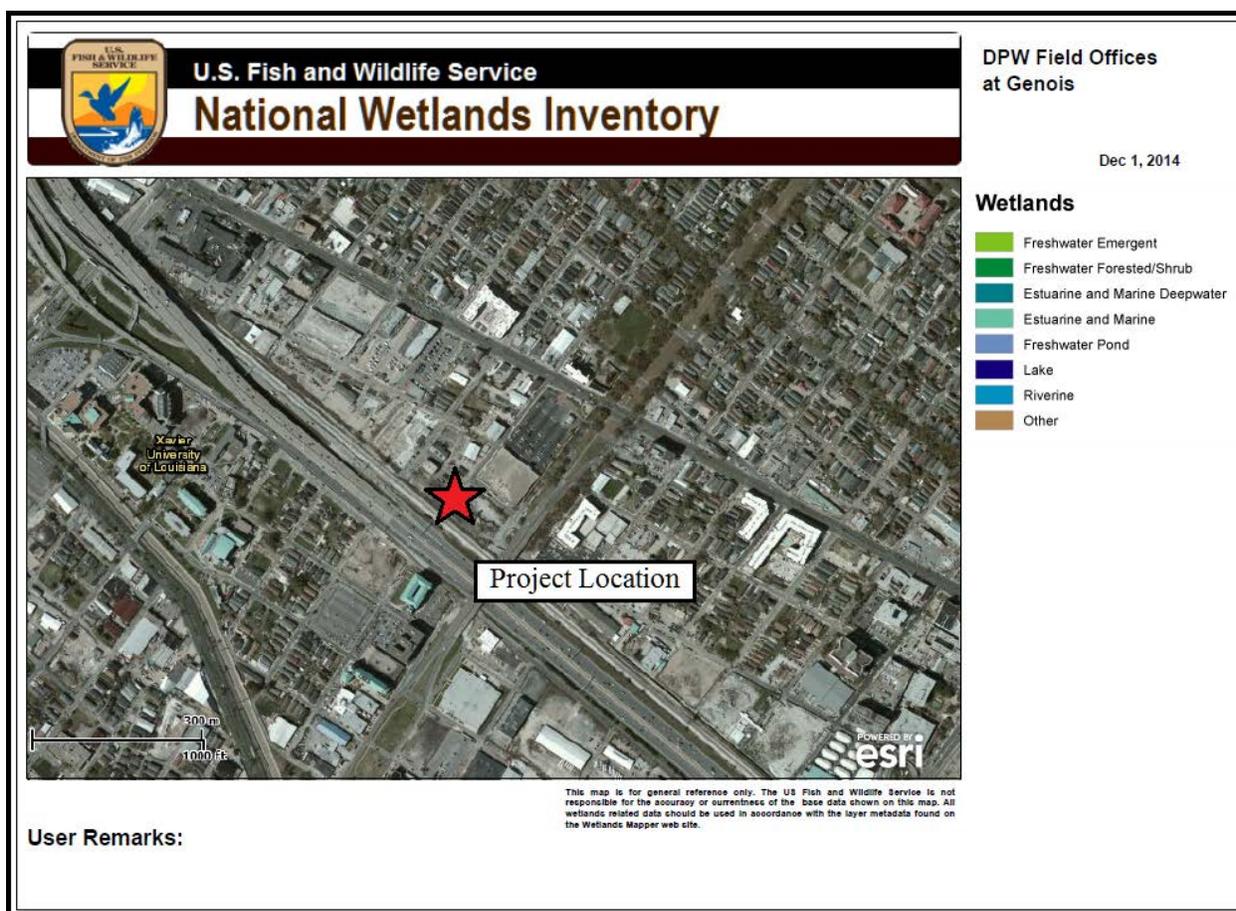


Figure 7 – U. S. Fish and Wildlife Service National Wetlands Inventory map (USDOI 2015e)

4.2.3 Environmental Consequences

Alternative 1 – No Action

The “No Action” alternative would have no impact on wetlands or other waters of the U.S. and would not require permits under § 404 of the CWA or § 10 of the RHA.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

Repair of the existing DPW facility to pre-disaster condition would likewise have no impact on wetlands or waters of the U.S. The current location of these structures is an urban, previously-disturbed site and

not wetlands under E.O. 11990. The scope of work would not require permits under § 404 of the CWA or § 10 of the RHA.

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

No timely comments were received from the USACE in response to FEMA's 23 April 2015 Solicitation of Views. In its 29 April 2015 response, the USEPA stated that their preliminary review did not reveal any jurisdictional waters of the U.S. on the project site; therefore the agency did not object to the project as proposed (USEPA 2015b) (Appendix B). FEMA also has determined that the proposed location is an urban, previously-disturbed site and not a wetland under E.O. 11990. Thus, the proposed work would not require permits under § 404 of the CWA or § 10 of the RHA.

If the project results in a discharge to offsite waters of the state, however, an LPDES permit may be required in accordance with the CWA and Title 33 of the Louisiana Clean Water Code. For example, if the project results in a new discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater. In addition, proposed construction activities may require an LDPEs stormwater permit, but there is an existing general permit (LAR200000) for construction activities between one (1) and five (5) acres.

In order to minimize indirect impacts (erosion, sedimentation, dust, and other construction-related disturbances) to waters of the state or well defined drainage areas surrounding the site, the contractor should implement Best Management Practices (BMPs) that meet LDEQ permitting specifications for stormwater and also include the following into the daily construction routine: silt screens, barriers (e.g., hay bales), berms/dikes, and or fences to be placed as and where needed. Fencing should be placed to mark staging areas for storage of construction equipment and supplies, as well as for sites where maintenance/repair operations occur.

4.3 Floodplains

4.3.1 Regulatory Setting

E.O. 11988, Floodplain Management, requires federal agencies to avoid direct or indirect support or development within or affecting the 1% annual chance Special Flood Hazard Area (SFHA) (i.e., the 100-year floodplain) or, for "Critical Actions," within the 0.2% annual chance SFHA (i.e., the 500-year floodplain), whenever there is a practicable alternative (U.S. President 1977a). FEMA's regulations for complying with E.O. 11988 are found at 44 C.F.R. § 9, Floodplain Management and Protection of Wetlands (1980).

4.3.2 Existing Conditions

In July 2005, prior to Hurricane Katrina, FEMA initiated a series of flood insurance studies for many of Louisiana's coastal parishes as part of the Flood Map Modernization Effort through FEMA's National Flood Insurance Fund. These studies were necessary because the flood hazard and risk information shown on the effective Flood Insurance Rate Maps (FIRMs) was developed during the 1970s. Since that time, the physical terrain had changed considerably, including the significant loss of wetland areas. After Hurricanes Katrina and Rita, FEMA expanded the scope of work to include all of coastal Louisiana. The magnitude of impacts caused by the two (2) hurricanes reinforced the urgency to obtain additional flood recovery data for the coastal zones of Louisiana. More detailed analysis was possible because new data obtained after the hurricanes included information on levees and levee systems, new high-water marks, and new hurricane parameters.

During an initial post-hurricane analysis, FEMA determined that the 100-year or 1% annual chance storm flood elevations on FIRMs for many Louisiana communities, referred to as Base Flood Elevations (BFEs), were too low. FEMA created recovery maps showing the extent and magnitude of the surges from Hurricanes Katrina and Rita, as well as information on other storms over the past 25 years. The 2006 advisory flood data shown on the recovery maps for the Louisiana-declared disaster areas indicated high-water marks surveyed after the storm, flood limits developed from these surveyed points, and Advisory Base Flood Elevations, or ABFEs. These recovery maps and other advisory data were developed to assist parish officials, homeowners, business owners, and other affected citizens with their recovery and rebuilding efforts. Orleans Parish ABFE Maps (DHS 2006) are currently used by the Orleans Parish National Flood Insurance Program (NFIP) community for floodplain management purposes.

Updated preliminary flood hazard maps from an intensive five-year mapping project guided by FEMA subsequently were provided to all Louisiana coastal parishes. These maps, released in early 2008, known as Preliminary Digital Flood Insurance Rate Maps (DFIRMs), were based on the most technically advanced flood insurance studies ever performed for Louisiana, followed by multiple levels of review. The DFIRMs provided communities with a more scientific approach to economic development, hazard mitigation planning, emergency response, and post-flood recovery.

The USACE is currently working on the new Hurricane and Storm Damage Risk Reduction System (HSDRRS) for the Greater New Orleans area. This 350-mile system of levees, floodwalls, surge barriers, and pump stations will reduce the flood risk associated with future storm events. In September 2011, the USACE provided FEMA with assurances that the HSDRRS is capable of defending against a storm surge with a 1% annual chance of occurrence (DHS 2011). The areas protected include portions of St. Bernard, St. Charles, Jefferson, Orleans, and Plaquemines Parishes. Although the 100-year perimeter system is now complete, additional contracts for armoring and environmental mitigation are either ongoing or have not yet been awarded (DoA 2014). In November 2012, FEMA revised the 2008 preliminary DFIRMs within the HSDRRS to incorporate the reduced flood risk associated with the system improvements. The preliminary DFIRMs were subsequently revised in 2013 and 2014.

The 2014 Revised Preliminary DFIRMs are currently viewed as the best available flood risk data for Orleans Parish. In many areas, the flood risk has been significantly reduced due to heightened protection. No project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through its participation in the National Flood Insurance Program (DHS 2011).

Orleans Parish enrolled in the NFIP on 3 August 1970. This project is within a levee-protected area of the 100-year floodplain. The effective FIRM Panel 2252030160E dated 1 March 1984, indicates the site is located within Flood Zone A4, Elevation (EL) 0, in an area of flooding from ponding (*Figure 8*, left pane). Orleans Parish Advisory Base Flood Elevation Maps (ABFEs) were issued 5 June 2006 (FEMA 2006). This site is shown on ABFE Panel LA-CC30, partially in Flood Zone ABFE EL 0, or 3 feet above the Highest Existing Adjacent Grade (HEAG), whichever is higher, and in Flood Zone ABFE 3 feet above HEAG (*Figure 9*). Per Revised Preliminary DFIRM Panel Number 22071C0228F dated 1 December 2014, portions of the site are located within Flood Zone Shaded “X,” areas levee-protected from the base flood, and in Flood Zone Shaded “X,” areas of the 0.2% annual chance flood (i.e., the 500-year floodplain, based upon ponding only and not coastal surge) (*Figure 8*, right pane). Ground elevations at the site are approximately 0-1 foot above the North American Vertical Datum of 1988. In compliance with E.O. 11988, an 8-step process was completed and documentation is attached in Appendix C.

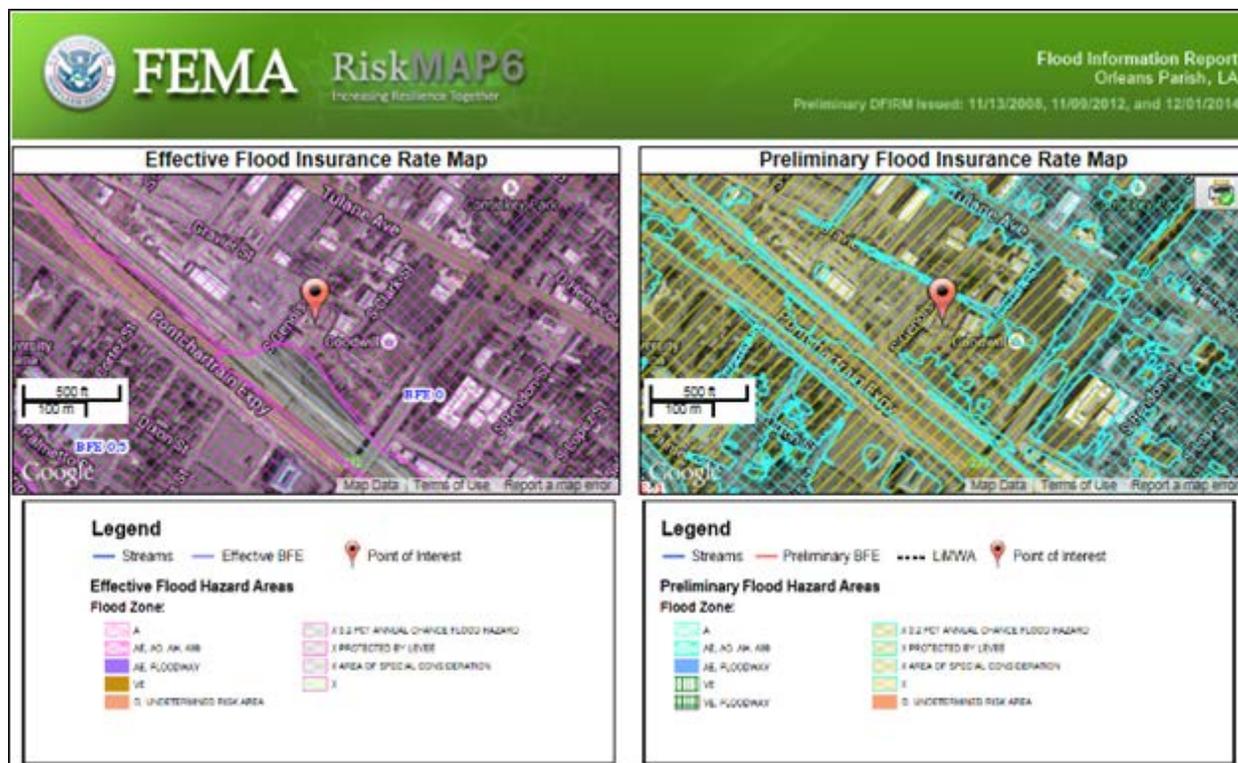


Figure 8 – Effective FIRM Panel Number 2252030160E (left pane, DHS 1984); Revised Preliminary DFIRM Panel Number 22071C0228F(right pane, DHS 2014). Project site labeled as “Point of Interest.”

4.3.3 Environmental Consequences

Practicable alternatives to locating the proposed action in the floodplain were identified and evaluated. Various practicability factors were considered including feasibility, social concerns, hazard reduction, mitigation costs, and environmental impacts.

Alternative 1 – No Action

The “No Action” alternative would not entail any repair or reconstruction of the DPW Field Offices complex. This course would have no further adverse impacts to the floodplain.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

Alternative 2 was reviewed for possible impacts associated with occupancy or modification to a floodplain. Due to the previously developed character of the site, impacts to the nature of the floodplain itself have been determined to be negligible. Repair of the existing buildings would not affect the functions and values of the 100-year floodplain since these facilities would not impede or redirect flood flows.

Per 44 C.F.R. § 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the NFIP. The Applicant would be required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. Per 44 C.F.R. § 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.

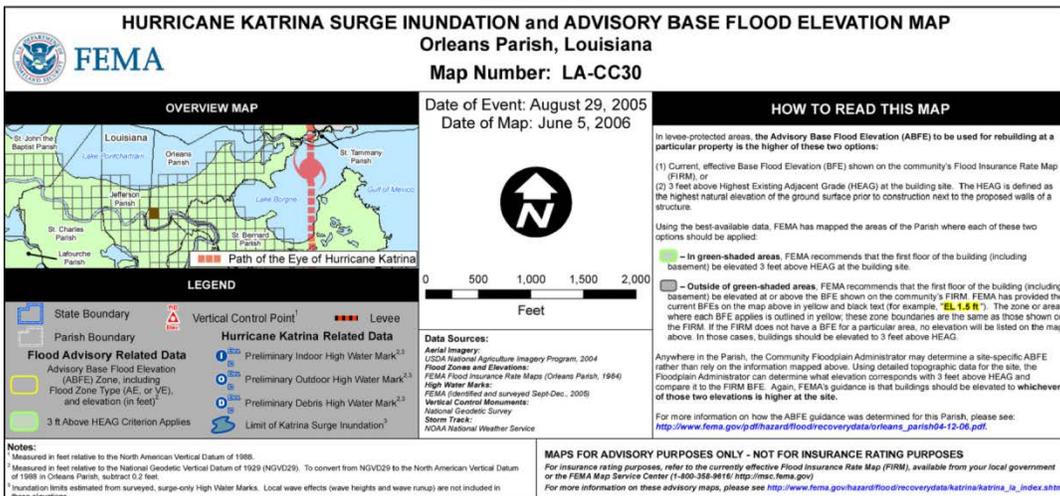
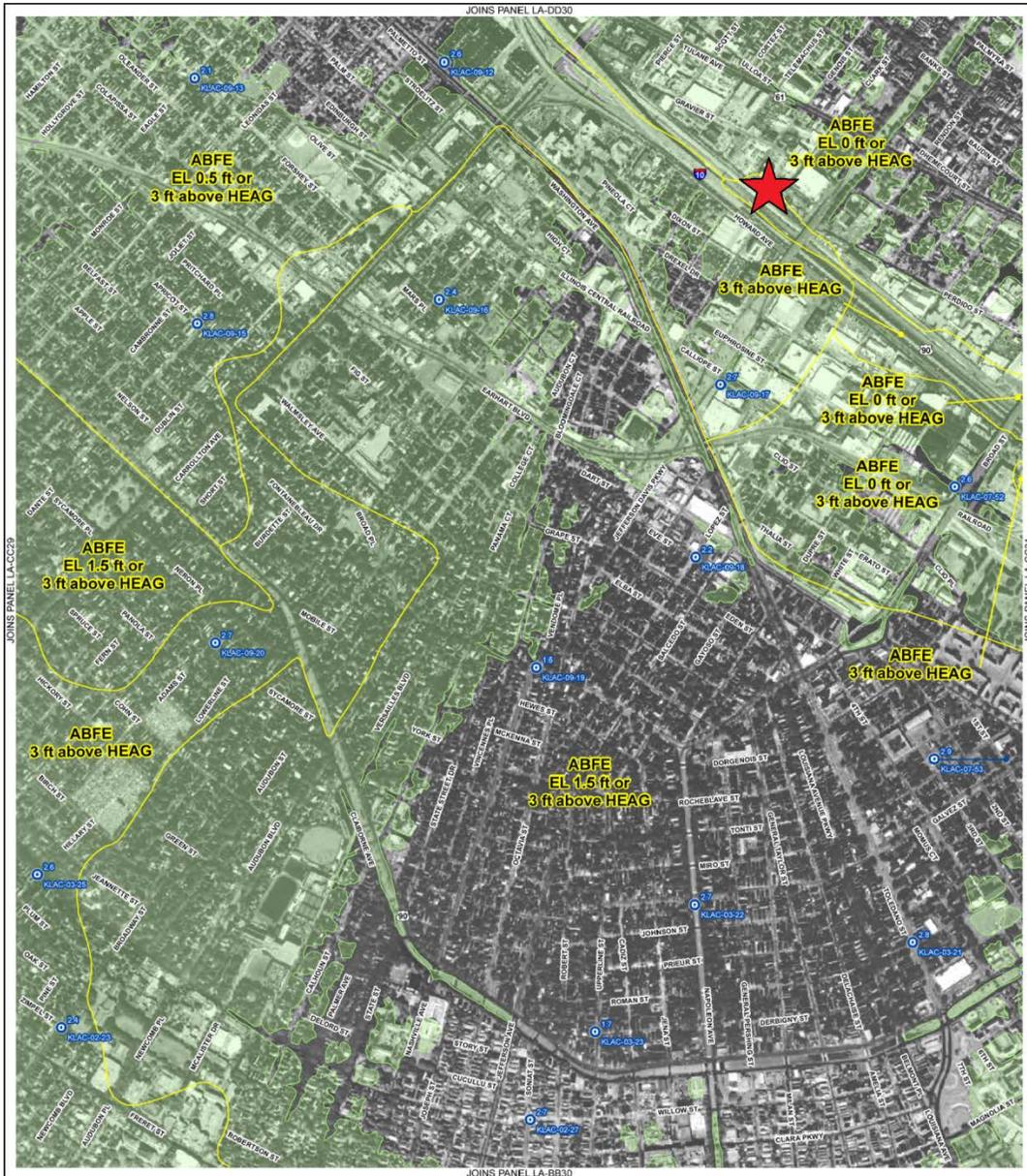


Figure 9 – Advisory Base Flood Elevation Map LA-CC30 (with project site shown as a red star) (DHS 2006)

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

Alternative 3 was reviewed for possible impacts associated with occupancy or modification to a floodplain. Due to the previously developed character of the proposed site, impacts to the nature of the floodplain itself have been determined to be negligible. The proposed consolidated DPW multi-purpose facility would not likely affect the functions and values of the 100-year floodplain since the facility would not impede or redirect flood flows.

Per 44 C.F.R. 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the NFIP. The Applicant would be required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. Per 44 C.F.R. § 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.

4.4 Coastal Resources

4.4.1 Regulatory Setting

4.4.1.1 Coastal Zone Management Act of 1972

The Coastal Zone Management Act (CZMA) encourages the management of coastal zone areas and provides grants to be used in maintaining these areas. It requires that federal agencies be consistent in enforcing the policies of state coastal zone management programs when conducting or supporting activities that affect a coastal zone. This is intended to ensure that federal activities are consistent with state programs for the protection and, where possible, enhancement of the nation's coastal zones.

The Act's definition of a coastal zone includes coastal waters extending to the outer limit of state submerged land title and ownership, adjacent shorelines, and land extending inward to the extent necessary to control shorelines. A coastal zone includes islands, beaches, transitional and intertidal areas, and salt marshes.

The CZMA requires that coastal states develop a State Coastal Zone Management Plan or program and that any federal agency conducting or supporting activities affecting the coastal zone conduct or support those activities in a manner consistent with the approved state plan or program. To comply with the CZMA, a federal agency must identify activities that would affect the coastal zone, including development projects, and review the state coastal zone management plan to determine whether a proposed activity would be consistent with the plan.

4.4.1.2 Louisiana State and Local Coastal Resources Management Act of 1978

Pursuant to the CZMA, the State and Local Coastal Resources Management Act of 1978 (R.S. 49:214:21 et seq. Act 1978, No. 361), is the state of Louisiana's legislation creating the Louisiana Coastal Resources Program (LCRP). The LCRP establishes policy for activities including construction in the coastal zone, defines and updates the coastal zone boundary, and creates regulatory processes. The LCRP is under the authority of the Louisiana Department of Natural Resource's (LDNR) Office of Coastal Management (OCM). If a proposed action is within the Coastal Zone boundary, OCM will review the eligibility of the project prior to its review from other federal agencies (USACE, USFWS, and National Marine Fisheries Service [NMFS]). The mechanism used to review these projects is the Coastal Use Permit (CUP). Per the CZMA, all proposed federal projects within the coastal zone must undergo a Consistency Determination by OCM for that project's consistency with the state's Coastal Resource Program (i.e., LCRP) (LDNR 2015b).

4.4.1.3 Coastal Barrier Resources Act of 1972

The USFWS regulates federal funding in John H. Chafee Coastal Barrier Resources System (CBRS) units under the Coastal Barrier Resources Act (CBRA). CBRA protects undeveloped coastal barriers and related areas (i.e., Otherwise Protected Areas) by restricting direct or indirect federal funding of projects that support development in these areas. CBRA promotes appropriate use and conservation of coastal barriers along the Atlantic and Gulf coasts (USDOJ 2015a).

4.4.2 Existing Conditions

The existing facility is located within the coastal zone and may be required to obtain a CUP prior to construction (Appendix B). The project site is not located within a regulated CBRS unit.

4.4.3 Environmental Consequences

Alternative 1 – No Action

The “No Action” alternative would entail no undertaking and therefore, would have no impact on a coastal zone or a CBRS unit.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

Repair of the DPW facility to pre-disaster condition would involve construction in a designated coastal zone. In accordance with a 2013 LDNR OCM Special Public Notice, the granting of federal financial assistance as defined in 15 C.F.R. § 930.91 is fully consistent with the LCRP; however, consistency with the LCRP does not exempt applicants from the need to obtain a CUP, if necessary. CNO is responsible for coordinating with LDNR OCM to obtain any CUP that may be required as a result of this project. The project site is not located within a CBRS unit; therefore CBRA requirements do not apply.

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

The Proposed Action alternative would involve construction in a designated coastal zone. In accordance with a 2013 LDNR OCM Special Public Notice, the granting of federal financial assistance as defined in 15 C.F.R. § 930.91 is fully consistent with the LCRP; however, consistency with the LCRP does not exempt applicants from the need to obtain a CUP, if necessary. In its 28 April 2015 comment letter, LDNR OCM verified that the proposed project is inside the Louisiana Coastal Zone and that a complete Coastal Use Permit Application packet would be required in order to properly evaluate the work (Appendix B). CNO is responsible for coordinating with LDNR OCM to obtain any CUP that may be required as a result of this project. The project site is not located within a CBRS unit; therefore CBRA requirements do not apply.

4.5 Federally Protected Species, Critical Habitats, and Other Biological Resources

4.5.1 Regulatory Setting

4.5.1.1 Endangered Species Act

The Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531-1543) prohibits the taking of listed, threatened, and endangered species unless specifically authorized by permit from the USFWS or the NMFS. “Take” is defined in 16 U.S.C. 1532 (19) as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct.” “Harm” is further defined to include significant habitat modification or degradation that results in death or injury to listed species by

significantly impairing behavioral patterns such as breeding, feeding, or sheltering (50 C.F.R. § 17.3) (Endangered and Threatened Wildlife and Plants 1975).

Section 7(a)(2) of the ESA requires the lead federal agency to consult with either the USFWS or the NMFS, depending which agency has jurisdiction over the federally listed species in question, when a federally funded project either may have the potential to adversely affect a federally listed species, or a federal action occurs within or may have the potential to impact designated critical habitat. The lead agency must consult with the USFWS, the NMFS, or both (Agencies) as appropriate and will determine if a biological assessment is necessary to identify potentially adverse effects to federally listed species, their critical habitat, or both. If a biological assessment is required, it will be followed by a biological opinion from the USFWS, the NMFS, or both depending on the jurisdiction of the federally listed species identified in the biological assessment. If the impacts of a proposed federal project are considered negligible to federally listed species, the lead agency may instead prepare a letter to the Agencies with a “May Affect, but Not Likely to Adversely Affect” determination requesting the relevant agency’s concurrence. This DEA serves to identify potential impacts and meet the ESA § 7 requirement by ascertaining the risks of the proposed action and alternatives to known federally listed species and their critical habitat, as well as providing a means for consultation with the Agencies.

4.5.1.2 Migratory Bird Treaty Act

Unless otherwise permitted by regulation, the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712) prohibits pursuing; hunting; taking; capturing; killing; attempting to take, capture, or kill; possessing; offering for sale; selling; offering to purchase; purchasing; delivering for shipment; shipping; causing to be shipped; delivering for transportation; transporting; causing to be transported; carrying or causing to be carried by any means whatever; receiving for shipment, transportation, or carriage; or exporting; at any time or in any manner, any migratory bird or any part, nest, or egg of any such bird, that is included on the list of protected bird species (General Provisions; Revised List of Migratory Birds 2013). The USFWS is responsible for enforcing the provisions of this Act.

4.5.2 Existing Conditions

One (1) mammal species, the West Indian manatee, and two (2) fish species, the Gulf sturgeon and pallid sturgeon, are federally listed as threatened or endangered and are known to occur in select waterways of Orleans Parish (*Table 1*) (USDOI 2015c). The proposed project site is located within the Mississippi Flyway (Mississippi Flyway Council n.d.).

Within both the city of New Orleans and the project area, the setting is decidedly urban. At the project site, native vegetation has been removed and the land surface paved or covered with bulk construction materials. A few volunteer patches of weedy and/or small woody vegetation are present at random locations on the property. Herbaceous species observed included bushy bluestem (*Andropogon glomeratus*), panic grass (*Panicum* sp.), and blackberry (*Rubus* sp.). Young trees and saplings consisted of Chinese tallow (*Triadica sebifera*), China-berry (*Melia azedarach*), and elm (*Ulmus* sp.).

The city is home to a number of animals adapted to urban conditions, including raccoons (*Procyon lotor*), opossums (*Didelphis marsupialis*), nine-banded armadillos (*Dasypus novemcinctus*), coyotes (*Canis latrans*), Norway rats (*Rattus norvegicus*) (Allman 2011), and various species of mice, as well as reptiles such as the green anole (*Anolis carolinensis*) and amphibians such as the green treefrog (*Hyla cinerea*, the State Amphibian of Louisiana) and the Gulf Coast toad (*Bufo valliceps*). A large number of common bird species are also present, including rock pigeons (*Columba livia*), mourning doves (*Zenaidura macroura*), boat-tailed grackles (*Quiscalus major*), ruby-throated hummingbirds (*Archilochus colubris*), and American robins (*Turdus migratorius*).

Table 1 – Federally Listed Species Known to Occur in Orleans Parish

Common Name	Scientific Name	Federal Status	Critical Habitat	Habitat Requirements	Impact* / Rationale
Fishes					
Gulf sturgeon	<i>Acipenser oxyrinchus desotoi</i>	Threatened	Yes ¹	Anadromous fish species that spends most of its life in freshwater habitats and spawns in estuarine bays. Found in a variety of substrate areas based on age class of species.	None / Project area is located upstream of critical habitat areas; however, any potential stormwater runoff would not significantly impact this species.
Pallid sturgeon	<i>Scaphirhynchus albus</i>	Endangered	No	Prefers large, free-flowing turbid rivers. No information exists on preferred spawning habitat.	None / Less than significant impacts would occur from stormwater runoff even without proper BMPs in place at storm drain locations.
Mammals					
West Indian manatee	<i>Trichechus manatus</i>	Endangered	Yes ²	Found in marine, estuarine, and freshwater environments with a strong preference for warm and well-vegetated waters.	None / There is no suitable habitat associated with the proposed project that is close or hydrologically connected to potential habitat for this species.
<p>* Considers potential impacts of Alternatives 1 - 3. ¹ Species may occur in Orleans Parish, but not within the proposed project area. ² Critical habitat is not designated in Louisiana.</p>					

Note: Data accessed June 2015 from USFWS IPaC Web Portal (<http://ecos.fws.gov/ipac/>) (USDOJ 2015d).

4.5.3 Environmental Consequences

Alternative 1 – No Action

The “No Action” alternative would entail no undertaking and, therefore, would have no impact on species federally listed as threatened or endangered, migratory birds, or federally listed critical habitats.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

Repair of the DPW facility to pre-disaster condition would have no effect on species federally listed as threatened or endangered, migratory birds, or federally listed critical habitats. USFWS has interpreted § 7(p) of the ESA to mean that restoring any infrastructure damaged or lost due to Hurricane Katrina back to its original footprint does not require ESA consultation per USFWS letter of 15 September 2005, to FEMA.

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

Inspection of the proposed site did not reveal the presence of any species federally listed as threatened or endangered. In addition, the site is an existing disturbed area with little value to migratory birds and would not be included in the USFWS migratory bird management program. In its 29 April 2015,

comment letter, the Louisiana Department of Wildlife and Fisheries stated that “no impacts to rare, threatened, or endangered species or critical habitats within Louisiana’s boundary are anticipated for the proposed project” (Appendix B). Based on a review of this alternative using the USFWS ESA project review website (2015b), “the proposed project is not an activity that would affect a federally listed threatened or endangered species; nor is there proposed or designated critical habitat present within” Orleans Parish. “Therefore, a ‘no effect’ conclusion is appropriate. No further ESA coordination with the Service is necessary for the proposed action, unless there are changes in the scope or location of the proposed project or the project has not been initiated one year from the date of this letter” (Appendix B).

4.6 Air Quality

4.6.1 Regulatory Setting

4.6.1.1 Clean Air Act of 1970 (Including 1977 and 1990 Amendments)

The Clean Air Act (CAA) (42 U.S.C. § 7401 et seq.) is the federal law that regulates air emissions from stationary and mobile sources. This law tasks the USEPA, among its other responsibilities, with establishing primary and secondary air quality standards. Primary air quality standards protect the public’s health, including the health of “sensitive populations, such as people with asthma, children, and older adults.” Secondary air quality standards protect the public’s welfare by promoting ecosystem health, preventing decreased visibility, and reducing damage to crops and buildings. The USEPA also has set National Ambient Air Quality Standards (NAAQS) for the following six (6) criteria pollutants: carbon monoxide (CO), lead (Pb), nitrogen oxides (NO_x), ozone (O₃), particulate matter (less than 10 micrometers [PM₁₀] and less than 2.5 micrometers [PM_{2.5}]), and sulfur dioxide (SO₂).

In addition, the USEPA regulates hazardous air pollutants, such as asbestos, under the “air toxics” provisions of the CAA. Section 112 of the CAA established the National Emission Standards for Hazardous Air Pollutants (NESHAP) and required the USEPA to develop and enforce regulations to protect the public from exposure to airborne contaminants that are known to be hazardous to human health. Major health effects associated with asbestos include lung cancer, mesothelioma, and asbestosis (USEPA 2015a).

Under the 1990 amendments to the CAA, the USEPA may delegate its regulatory authority to any state which has developed an approved State Implementation Plan (SIP) for carrying out the NAAQS mandates or an approved program for the prevention and mitigation of accidental releases under NESHAP. The State of Louisiana’s initial SIP was approved on 5 July 2011, and has been revised several times since then. LDEQ’s NESHAP regulatory program was re-approved by USEPA effective 27 April 2015. Louisiana’s CAA implementing regulations are codified in Title 33.III of the Louisiana Environmental Regulatory Code.

According to 40 C.F.R. § 93.150(a), “No department, agency or instrumentality of the Federal Government shall engage in, support in any way or provide financial assistance for, license or permit, or approve any activity which does not conform to an applicable implementation plan” under NAAQS. In addition, 40 C.F.R. § 93.150(b) states, “A Federal agency must make a determination that a Federal action conforms to the applicable implementation plan in accordance with the requirements of this subpart before the action is taken.” As a result, when FEMA provides financial assistance for a project, such as the one currently under review in this DEA, the CAA requires a General Conformity determination whenever the project site is located in a “non-attainment area” for any one (1) of the six (6) NAAQS criteria pollutants (Revisions to the General Conformity Regulations 2010).

4.6.1.2 Executive Order 13514

E.O. 13514, Federal Leadership in Environmental, Energy, and Economic Performance, signed on 5 October 2009, directs federal agencies to reduce greenhouse gas (GHG) emissions and address climate change in NEPA analyses. It expands upon the energy reduction and environmental performance requirements of E.O. 13423, Strengthening Federal Environmental, Energy, and Transportation Management. E.O. 13514 identifies numerous energy goals in several areas, including GHG management, management of sustainable buildings and communities, and fleet and transportation management. The GHGs covered by this E.O. are: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs). These GHGs have varying heat-trapping abilities and atmospheric lifetimes (U.S. President 2009).

On 23 January 2012, FEMA issued a written statement, FEMA Climate Change Adaptation Policy Statement (2011-OPPA-01), affirming the directive of E.O. 13514 and enacting as policy measures to “integrate climate change adaptation considerations” into its programs and operations (DHS 2012a).

4.6.2 Existing Conditions

According to *The Green Book Nonattainment Areas for Criteria Pollutants* (USEPA 2015e), the Parish of Orleans is considered to be an “attainment area” for criteria pollutants. As a result, no General Conformity determination is required by FEMA for projects it funds within this parish.

4.6.3 Environmental Consequences

Alternative 1 – No Action

The “No Action” alternative would involve no undertaking and, therefore, would cause no short- or long-term impacts to air quality.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

This alternative potentially includes short-term impacts to air quality resulting from building renovation. Due to the age of several of the structures, asbestos containing materials (ACM) are presumed to be present. Particulate emissions from the generation of fugitive dust during project construction would likely be increased temporarily in the immediate project vicinity. Other emission sources on site could include internal combustion engines from work vehicles, air compressors, or other types of construction equipment. These effects would be localized and of short duration.

To reduce potential short term effects to air quality from construction-related activities, the contractor would be responsible for using BMPs to reduce fugitive dust generation and diesel emissions. Emissions from the burning of fuel by internal combustion engines could temporarily increase the levels of some of the criteria pollutants, including CO₂, NO_x, O₃, and PM₁₀, and non-criteria pollutants such as volatile organic compounds. To reduce these emissions, running times for fuel-burning equipment should be kept to a minimum and engines should be properly maintained. If asbestos is present, abatement of ACM and coordination with LDEQ would be required.

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

The Proposed Action alternative potentially includes short-term impacts to air quality that are likely to occur during demolition, excavation for site remediation, site preparation, and construction. Due to the age of several of the buildings, ACM are presumed to be present. Particulate emissions from the generation of fugitive dust during project excavation and construction would be temporarily increased in the immediate vicinity of the project area. Other on-site sources of emissions would include internal

combustion engines and heavy construction equipment. These effects would be localized and of short duration, however.

To reduce potential short term effects to air quality from construction-related activities, the contractor would be responsible for using BMPs to reduce fugitive dust generation and diesel emissions. For example, the contractor would be required to water down construction areas when necessary to minimize particulate matter and dust. Emissions from the burning of fuel by internal combustion engines (e.g., heavy equipment and earthmoving machinery) could temporarily increase the levels of some of the criteria pollutants, including CO₂, NO₂, O₃, and PM₁₀, and non-criteria pollutants such as volatile organic compounds. To reduce emissions of criteria pollutants, running times for fuel-burning equipment should be kept to a minimum and engines should be properly maintained. If asbestos is present, abatement of ACM and coordination with LDEQ would be required.

4.7 Noise

4.7.1 Regulatory Setting

Noise is commonly defined as unwanted or unwelcome sound and most commonly measured in decibels (dBA) on the A-weighted scale (i.e., the scale most similar to the range of sounds that the human ear can hear). The Day-Night Average Sound Level (DNL) is an average measure of sound. The DNL descriptor is accepted by federal agencies as a standard for estimating sound impacts and establishing guidelines for compatible land uses. Sound is federally regulated by the Noise Control Act of 1972, which charges the USEPA with preparing guidelines for acceptable ambient noise levels. USEPA guidelines, and those of many other federal agencies, state that outdoor sound levels in excess of 55 dBA DNL are “normally unacceptable” for noise-sensitive land uses including residences, schools, or hospitals (USEPA 1974). The Noise Control Act, however, only charges implementation of noise standards to those federal agencies that operate noise-producing facilities or equipment.

The City of New Orleans Noise Ordinance (§ 66) places restrictions on any source of sound exceeding the maximum permissible sound level based on the time of day and the zoning district within which the sound is emitted. A number of exemptions exist for certain types of activities, however. In accordance with Noise Ordinance § 66-138, “[n]oises from construction and demolition activities for which a building permit has been issued by the department of safety and permits are exempt from” maximum permissible sound level restrictions “between the hours of 7:00 a.m. and 11:00 p.m., except in those areas zoned as RS, RD, or RM residential districts. Construction and/or demolition activities shall not begin before 7:00 a.m. or continue after 6:00 p.m. in areas zoned as RS, RD, or RM residential districts, or within 300 feet of such residential districts. Mufflers on construction equipment shall be maintained” (CNO 2015b). “RS,” “RD,” and “RM” are considered to be types of residential districts.

4.7.2 Existing Conditions

The entire site under consideration in this DEA is within an area zoned as a heavy industrial district “HI,” which allows for industrial operations of all types, although hazardous industries have certain restrictions (*Figure 10*) (CNO 2015a, 2015c).

4.7.3 Environmental Consequences

Alternative 1 – No Action

Under the “No Action” alternative there would be no short- or long-term impact to noise levels because no construction would occur.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

Under this alternative, renovation activities would result in short-term increases in noise during the reconstruction/reconfiguration period. Equipment and machinery utilized on the project site would be expected to meet all local, state, and federal noise regulations; however, due to the proximity of an RD-2 Zone, in order to be exempt from the City’s Noise Ordinance, work would be restricted to between the hours of 7:00 a.m. and 6:00 p.m. unless statutory ambient noise restrictions are observed. This exemption presumes a proper building permit has been obtained beforehand. Following completion of construction activities, operations at the renovated facility would not result in any significant permanent increases in noise levels.

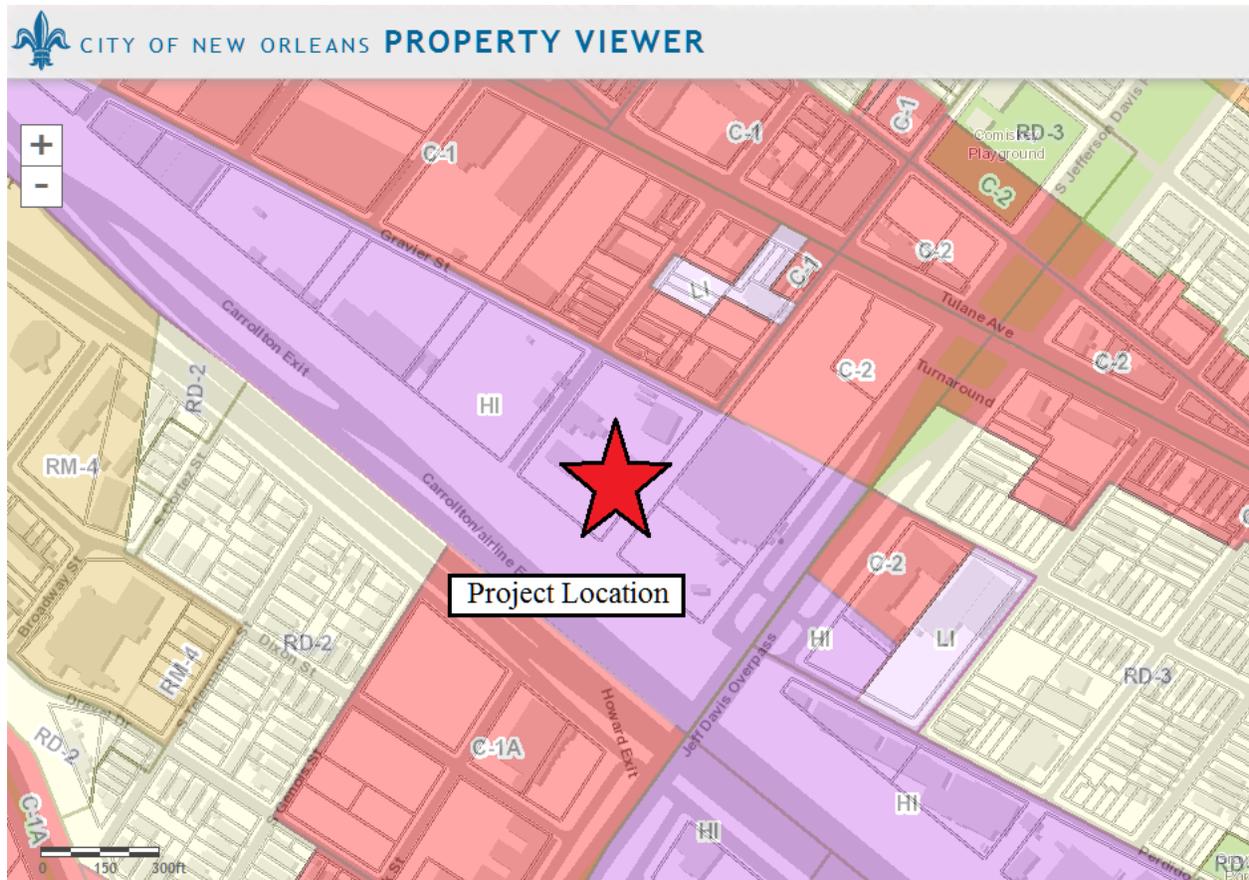


Figure 10 – New Orleans zoning map (Cx=commercial, Rx=residential, xI=industrial) (CNO 2015a)

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

For the Proposed Action alternative, demolition and construction activities would result in short-term increases in noise during the construction period, particularly with regard to pile-driving. Equipment and machinery utilized on the project site would be expected to meet all local, state, and federal noise regulations; however, due to the proximity of an RD-2 Zone, in order to be exempt from the City’s Noise Ordinance, work would be restricted to between the hours of 7:00 a.m. and 6:00 p.m. unless statutory ambient noise restrictions are observed. This exemption presumes a proper building permit has been obtained beforehand. Following completion of construction activities, operations at the renovated facility would not result in any significant permanent increases in noise levels.

4.8 Traffic

4.8.1 Regulatory Setting

The Louisiana Department of Transportation and Development (LaDOTD) is responsible for maintaining public transportation, state highways, interstate highways under state jurisdiction, and bridges located within the State of Louisiana. These duties include the planning, design, and building of new highways in addition to the maintenance and upgrading of current highways. Roads not part of any highway system usually fall under the jurisdiction of and are maintained by applicable local government entities; however, the LaDOTD is responsible for assuring all local agency federal-aid projects comply with all applicable federal and state requirements (LaDOTD 2015).

4.8.2 Existing Conditions

The DPW Field Offices site is located southeast of the intersection of Gravier and S. Genois Streets (*Figure 5*) and is fenced on all sides. The current main entrance to the property is on S. Genois Street; however, a secondary entrance is present in the southeastern corner of the site, accessed from the service road for S. Jefferson Davis Parkway. The southwestern boundary of the site is along Interstate 10. South Genois is a dead end street. Four (4) additional unused, gated access points to the property are present on Gravier Street (2) and S. Clark Street (2).

The parcel across S. Genois Street, to the northwest of the proposed project, is an Entergy electrical sub-station. To the east, across S. Clark Street, is a Goodwill Industries store and training center. S. Clark Street is also effectively a dead end road, since the leg which extends along the southwest side of the Goodwill building is gated.

At the present time, traffic is generally light. All of the streets surrounding the DPW property are approximately 30 feet in width from curb to curb, having two (2) traffic lanes. Street parking is allowed but not generally utilized. A large parking lot for Goodwill is located to the northeast of the DPW site. The remainder of the nearby properties are commercial buildings, with a handful of homes still remaining within the commercially-zoned area.

4.8.3 Environmental Consequences

Alternative 1 – No Action

Implementation of the “No Action” alternative would not adversely affect the site traffic patterns as no construction would occur.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

Under this action alternative, a temporary increase in construction-related traffic during renovation of the facility would be anticipated. Once renovation operations have been completed, traffic would be expected to return to normal. Only minimal long-term effects, if any, on current traffic patterns would likely occur.

During construction the contractor would be expected to take all reasonable precautions to control site access. All activities would be conducted in a safe manner in accordance with Occupational Safety and Health Administration (OSHA) work zone traffic safety requirements. The contractor would post appropriate signage and fencing to minimize foreseeable potential public safety concerns. Proper signs and barriers would be in place prior to the initiation of construction activities in order to alert pedestrians and motorists of the upcoming work and traffic pattern changes (e.g., detours or lanes dedicated for construction equipment egress).

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

Under the Proposed Action alternative, a temporary increase in traffic during demolition of the existing structures and construction of the new facility would be expected. Although the S. Genois Street entrance would be permanently closed, the additional, currently unused entrances on Gravier and S. Clark Streets would be reopened. A further entrance on S. Clark Street also would be created, while the entrance from the service road for S. Jefferson Davis Parkway would remain open. These changes would allow for improved vehicular flow within the DPW site and facilitate the various new functions. No appreciable changes in traffic volume within the surrounding area are anticipated, except during large events within the city.

During construction the contractor would be expected to take all reasonable precautions to control site access. All activities would be conducted in a safe manner in accordance with OSHA work zone traffic safety requirements. The contractor would post appropriate signage and fencing to minimize foreseeable potential public safety concerns. Proper signs and barriers would be in place prior to the initiation of construction activities in order to alert pedestrians and motorists of the upcoming work and traffic pattern changes (e.g., detours or lanes dedicated for construction equipment egress).

4.9 Cultural Resources

4.9.1 Regulatory Setting

The consideration of impacts to historic and cultural resources is mandated under § 101(b)4 of NEPA as implemented by 40 CFR §§ 1501-1508. Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account their effects on historic properties (i.e., historic and cultural resources) and allow the Advisory Council on Historic Preservation an opportunity to comment. FEMA has chosen to address potential impacts to historic properties through the “Section 106 consultation process” of NHPA as implemented through 36 CFR § 800.

In order to fulfill its § 106 responsibilities, FEMA has initiated consultation on this project in accordance with the Statewide Programmatic Agreement (Statewide Agreement) dated 17 August 2009, and amended on 22 July 2011, between the Louisiana State Historic Preservation Officer (SHPO), LA GOHSEP, the Alabama-Coushatta Tribe of Texas, the Caddo Nation, the Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Tunica-Biloxi Tribe of Louisiana, and the Advisory Council on Historic Preservation (<http://www.fema.gov/new-orleans-metropolitan-area-infrastructure-projects-2#2>). The Statewide Agreement was created to streamline the § 106 review process.

The “Section 106 process” outlined in the Statewide Agreement requires the identification of historic properties that may be affected by the proposed action or alternatives within the project’s area of potential effects (APE). Historic properties, defined in § 101(a)(1)(A) of NHPA, include districts, sites (archaeological and religious/cultural), buildings, structures, and objects that are listed in or determined eligible for listing in the National Register of Historic Places (NRHP). Historic properties are identified by qualified agency representatives in consultation with interested parties. Below is a consideration of various alternatives and their effects on historic properties.

4.9.2 Existing Conditions – Identification and Evaluation of Historic Properties

Historic Properties within the APE were identified based on FEMA’s review of the NRHP database, the Louisiana Cultural Resources Map, historic map research, and site visits. This data was evaluated by FEMA using the National Register Criteria.

4.9.2.1 Archaeology

Upon consultation of data provided by SHPO on 5 December 2012, FEMA has identified four recorded archaeological sites within ¼ mile of the APE; however, none of these sites is within the archaeological APE and they will not be affected by the undertaking. Historical map research indicates that the APE was originally in an area labeled as “cypress swamp.” By 1878, the APE would have been just north of the “New Canal.” By the early 1900s, the Municipal Repair/Power Plant and the Standard Chemical Company were within the APE. The Standard Chemical Company was in business from 1911 to 1933 and extracted, purified, and manufactured radioactive ores including uranium, vanadium, and radium. By the 1940s the APE was completely covered by the DPW Field Office complex. The APE is within the New Orleans Moderate Archaeological probability zone. The soils are at the edge of Convent-Commerce-Sharkey, a recent alluvium, and Harahan-Rita Westwego, a gulf coast deltaic marsh. The area has not been surveyed for archaeological resources; however, FEMA archaeologists conducted a site visit on 7 December 2012, to evaluate the archaeological resource potential within the APE. Although it is unknown if archaeological deposits are present within the APE, FEMA has determined that further identification and evaluation efforts will not be undertaken because of the level of chemical contamination within the APE. FEMA, however, will address effects to archaeological resources through the Memorandum of Agreement (MOA), signed 4 December 2013, developed to resolve identified adverse effects (Appendix D).

4.9.2.2 Standing Structures

On 26 November 2012, FEMA Historic Preservation Staff consulted the NRHP database and the Louisiana Cultural Resources Map and determined that a portion of the DPW Field Office complex is located on the southern boundary of the Mid-City National Register Historic District (Mid-City), next to Interstate 10/US Route 90. Mid-City was listed in the NRHP on 10 December 1993, under Criterion C for architecture. Mid-City’s period of significance and boundaries were updated on 15 December 2011, and are on file with SHPO offices in Baton Rouge and online in the NRHP database at (<http://www.crt.state.la.us/dataprojects/hp/nhl/view.asp>).

Of the eleven (11) buildings and structures proposed for demolition within the DPW Field Office complex, five (5) are within the Mid-City boundary. The 2011 update identified three (3) contributing structures to Mid-City located within the project APE: the Administration Building, the Yard Shop Building, and the Boiler Building. The Asphalt Storage Building and a post-Katrina Temporary Trailer (both proposed for demolition and located within the Mid-City boundary) were constructed outside of the period of significance and do not qualify for NRHP listing under Criterion Consideration G. The EMD building will not be demolished but is located within the Mid-City boundary. It also was constructed outside of the period of significance and does not qualify for NRHP listing under Criterion Consideration G.

There are six (6) buildings and structures within the DPW Field Complex that are located outside of the Mid-City boundary. Five (5) of these are less than 50 years old and do not qualify for NRHP listing under Criterion Consideration G. The sixth building, known as the Concrete Storage Building, was constructed ca. 1940, but appears to have been moved to its current location ca. 1970. The building is not individually eligible for listing in the NRHP.

The standing structures APE also includes eight (8) properties on Gravier and South Genois Streets within the view shed of the DPW Field Offices complex that FEMA has determined contribute to Mid-City. These properties are a mix of residential and commercial structures dating from the late-nineteenth and early-twentieth centuries. A ca. 1980 metal clad utility building and a ca. 2000 large, commercial building housing a Goodwill store are also located within the Standing Structures APE, but neither building exhibits the exceptional significance necessary to qualify for NRHP listing under Criterion Consideration G.

4.9.3 Environmental Consequences

Alternative 1 – No Action

This alternative does not include any FEMA undertaking; therefore FEMA has no further responsibilities under § 106 of the NHPA.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

This alternative would repair the buildings currently in use to pre-disaster condition, with upgrades to current codes and standards. Based on research using the NRHP database, the Louisiana Cultural Resources Map on the Louisiana Division of Historic Preservation's website, historic map research, and agency files, FEMA has determined that the project area is partially located within the Mid-City Historic District. Four (4) of the eight (8) structures located within the project area were found to be over 50 years of age. FEMA determined that the scope of work meets the criteria in Appendix C: Programmatic Allowances, Item I, Sections E and F, and Item II, Sections A (1 - 3, and 9), B (1 and 3), C (1 and 2), D (1 and 2), E (1), and H of the Statewide Agreement. In accordance with this document, FEMA is not required to further consult with the SHPO where the work performed meets these allowances. Should the Applicant pursue this alternative they would be required to comply with standard conditions associated with ground disturbance, including the Louisiana Unmarked Human Burial Sites Preservation Act and the Inadvertent Discovery Clause.

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

The proposed undertaking would utilize FEMA funding to construct a new consolidated and fenced facility. Based on research using the NRHP database, the Louisiana Cultural Resources Map on the Louisiana Division of Historic Preservation's website, historic map research, agency files, and site visits, FEMA has determined that the project area is partially located within the Mid-City Historic District. FEMA, in consultation with SHPO, determined that three (3) buildings and structures proposed for demolition within the DPW complex, namely, Administration Building, Yard Shop Building, and Boiler Building, are contributing structures to the Mid-City National Register Historic District. The standing structures APE also includes eight (8) properties on Gravier and South Genois Streets that FEMA determined contribute to the Mid-City Historic District and are within the view shed of the DPW Field Offices complex.

FEMA determined that the archaeological resource potential of the area is unknown, but limited to industrial archaeological resources, and that further site monitoring and archeological testing will not be undertaken because of the level of contamination in the APE.

Consequently, FEMA determined that the undertaking would have an "Adverse Effect" to Historic Properties. SHPO concurrence with this determination was received 1 March 2013. Consultation with affected 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, and Tunica-Biloxi Tribe of Louisiana) was conducted per the Statewide Agreement and 36 CFR § 800.2(c)(2)(i)(B). The Tribes did not express an interest in the undertaking; therefore, FEMA has fulfilled its NHPA § 106 responsibilities to consult with the Tribes. FEMA also provided other interested consulting parties with the opportunity to review and comment on FEMA's adverse effect determinations. The Foundation for Historical Louisiana ("FHL"), the Preservation Resource Center ("PRC"), and the National Trust for Historic Preservation ("NTHP") requested Consulting Party status.

In order to avoid, minimize, and mitigate adverse effects to historic properties, FEMA developed the MOA referenced previously (Appendix D). FEMA requested public involvement in the development of

this MOA through a Public Notice posted on 21 May 2013, with a comment period ending 3 June 2013. For standing structures, the agreed upon measures include recordation of the buildings to be demolished, development of a historic narrative, production of an interpretive display, and design review of the proposed new construction. Measures for archaeological resources include the development of a historic narrative to include an overview of nineteenth and early-twentieth century garbage disposal practices in New Orleans, with particular attention paid to the First and Second Sanitary Districts. In addition, FEMA will address any archaeological resources that are identified during the implementation of the undertaking through Stipulation V, Inadvertent Discoveries and Unexpected Effects, of this Memorandum of Agreement. The Applicant must comply with the measures to avoid, minimize, and mitigate adverse effects to historic properties outlined in the MOA signed 4 December 2013, and any subsequent extensions, and made part of the NHPA conditions as part of this DEA.

4.10 Hazardous Materials

4.10.1 Regulatory Setting

The management of hazardous materials is regulated under various federal and state environmental and transportation laws and regulations, including but not limited to the Resource Conservation and Recovery Act (RCRA); the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); the Toxic Substances Control Act (TSCA); the Emergency Planning and Community Right-to-Know provisions of the Superfund Amendments and Reauthorization Act (SARA); the Hazardous Materials Transportation Act; and the Louisiana Voluntary Investigation and Remedial Action statute. The purpose of the regulatory requirements set forth under these laws is to ensure the protection of human health and the environment through proper management (identification, use, storage, treatment, transport, and disposal) of these regulated materials. Some of the laws provide for the investigation and cleanup of sites already contaminated by releases of hazardous materials, wastes, or substances.

The TSCA (codified at 15 U.S.C., Ch. 53), authorizes the USEPA to protect the public from “unreasonable risk of injury to health or the environment” by regulating the introduction, manufacture, importation, sale, use, and disposal of specific new or already existing chemicals. “New Chemicals” are defined as “any chemical substance which is not included in the chemical substance list compiled and published under [TSCA] § 8(b).” Existing chemicals include any chemical currently listed under § 8(b), including polychlorinated biphenyls (PCBs), asbestos, radon, lead-based paint, chlorofluorocarbons, dioxin, and hexavalent chromium.

TSCA Subchapter I, “Control of Toxic Substances” (§§ 2601-2629), regulates the disposal of PCB-containing products, sets limits for PCB levels present within the environment, and authorizes the remediation of sites contaminated with PCBs. Subchapter II, “Asbestos Hazard Emergency Response” (§§ 2641-2656), authorizes the USEPA to impose requirements for asbestos abatement in schools and requires accreditation of those who inspect asbestos-containing materials. Subchapter IV, “Lead Exposure Reduction” (§§ 2681-2692), requires the USEPA to identify sources of lead contamination in the environment, to regulate the amounts of lead allowed in products, and to establish state programs that monitor and reduce lead exposure.

4.10.2 Existing Conditions

USEPA database searches for the proposed project area and vicinity reveal that there are no known offsite hazardous waste or federal brownfield sites in close proximity to the subject tract. One site of concern was found within 0.5 mile of the project site during a review of LDEQ’s Electronic Document Management System (EDMS) database for other hazardous waste management and disposal, solid waste disposal, leaking underground storage tank, enforcement, and similar databases. There are no recorded oil or gas wells on or near the subject property (LDEQ 2015a, 2015b; USEPA 2015c, 2015d). The study

site itself does possess soil and water contamination, some of which is above LDEQ screening standards. A more in-depth discussion of this issue follows below.

The parcel identified via EDMS is located at 3700 Tulane Avenue, approximately 0.1 mile from the DPW study site. Based on the Risk Evaluation/Corrective Action Plan (RECAP) prepared for the site, groundwater contamination associated with former above ground PCB and fuel oil storage tanks was detected in one sample, which was taken from beneath the building where the tanks were situated (Waldemar S. Nelson and Company 2008). Although this sample was above screening standards, LDEQ considered remediation to be impractical since the contamination was under a building and screening criteria for nearby monitoring well samples were not exceeded (indicating the contamination was not migrating). A “No Further Action At This Time” decision was issued by LDEQ on 16 October 2009.

Two additional sites within 0.25 mile of the project location were found in the Voluntary Remediation Program (VRP)/Brownfields Initiative database. The first site, at 950 S. Rendon Street, is about 0.2 mile to the southeast, on the opposite side of Interstate 10. A Phase II Environmental Site Assessment revealed a diesel concentration exceeding soil screening standards in the northern corner of the site. The contamination was associated with underground piping under a concrete slab (IT Corporation 2001). An inspection by an Entergy Corporation representative confirmed that the site was a former gas metering location with both above and below ground piping; the pipes were abandoned in place. The property entered the VRP program in January 2003. Based on the findings of an October 2003 RECAP by HBC/Terracon and subsequent negotiations with LDEQ, a “No Further Action Notification” was issued by LDEQ on 21 November 2008 without further testing or remediation, with the stipulation that the site maintain an industrial use.

The second site is located at 1025 S. Jefferson Davis Parkway and is approximately 0.25 mile south-southwest of the DPW Field Offices property, also across Interstate 10. This parcel entered the VRP program in January 2015 and is still in the early stages of the investigation and remediation process. Based on a Phase II Environmental Site Assessment, low levels of petroleum hydrocarbons and naphthalene were detected near the site of a former underground diesel storage tank (VERTEX 2005). Although low, the levels were above RECAP screening standards for soil and groundwater. A workplan for conducting a RECAP study is currently being formulated; however, the nature and quantity of site contamination, as well as the distance, render it unlikely to affect the intended use of the DPW Field Offices property.

For the DPW site itself, an April 2015 Corrective Action Plan (CAP) prepared by MMG was approved by LDEQ on 4 May 2015. The site has been the location of a number of different types of industrial activities over the last century, including operations by Standard Chemical Company and Municipal Repair/Power Plant (prior to acquisition by DPW in the 1940s), and since transfer to DPW, as a municipal garbage incinerator, an asphalt plant, a concrete batch plant, and a storage area for bulk materials such as asphalt, limestone, and sand (MMG 2014).

As a result of the extensive past industrial use, CNO arranged for a number of site investigations for hazardous materials over a two- (2-) year period, including Phase I and II Environmental Site Assessments, a RECAP, supplementary sampling programs, and finally a CAP. These various studies detected a number of soil constituents of concern (COCs), which would have included any materials that might have migrated onto the property from offsite; however, the CAP and LDEQ’s subsequent approval define the specific contaminants requiring remediation and the procedure for doing so. According to the CAP,

[c]ontamination at the site consists primarily of polycyclic aromatic hydrocarbons (PAHs) and metals; the presence of the contaminants is likely from spills/leaks from historic activities at the Site, including incineration, asphalt and concrete manufacturing, and the storage of bulk asphalt. The source of the release may also be related to spills/leaks from the Site’s former USTs [underground storage tanks] or from the Site’s

liquid asphalt ASTs [above ground storage tanks] and silos, which did not have proper containment measures.

The actual COCs requiring remediation consist of the following PAHs, benz(a)anthracene, benzo(b)fluoranthene, and indeno(1,2,3-cd)pyrene, some or all of which were detected in boreholes B2, B7, B9, B12, B17, and B21 as shown in *Figure 11* (Figure 3 of MMG's CAP). The CAP also proposed remediation of B3, which contained elevated levels of arsenic. In its letter approving the CAP, LDEQ stated that remediation of the arsenic at B3 was not required because the level detected is below the statewide average of 12 mg/kg.

In accordance with the proposed schedule contained in the CAP, on-site remediation activities are proposed to begin in July 2015 and continue through the beginning of August. A final report would be prepared in September, with approval of the Final CAP Report and issuance of a "No Further Action Notification" by LDEQ anticipated in November 2015.

4.10.3 Environmental Consequences

Alternative 1 – No Action

The "No Action" alternative would not disturb any hazardous materials or create any additional hazards to human health. Existing on-site contamination would not be remediated, thereby forgoing an opportunity to improve environmental conditions on the site..

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

Findings indicate that hazardous substances above industrial screening standards are present in soils at six (6) borehole locations on the subject property. In accordance with the 2015 CAP, LDEQ may require soil remediation in the areas surrounding the boreholes. If required, remediation would generally consist of excavating the soil to a depth of four (4) feet below the existing ground surface, within an 4- × 4-foot area surrounding each borehole. Excavated soil would be transported and disposed at an appropriate permitted landfill based on a calculated waste profile. If the water table is encountered during excavation, which is not unlikely, dewatering will occur via pumping into the sanitary sewer (if allowed by the Sewerage and Water Board of New Orleans) or transporting and disposing the wastewater at a permitted facility.

Should testing of the excavated soil reveal further contamination, the Applicant would coordinate with LDEQ to determine what additional steps would be required. LA GOHSEP and FEMA would be notified in order to confirm that appropriate EA conditions have been included to ensure compliance with pertinent laws and regulations.

Supplementary federal, state, and/or local rules and regulations for both soil and wastewater transport and disposal also may be applicable. Further, if additional hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination must be initiated in accordance with relevant federal, state, and local rules and regulations.

Apart from soil remediation activities, due to the age of several of the buildings, lead-based paint is presumed to be present at the facility. In addition, renovation of the structures may involve the use of hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paints, electronic components, pesticides/herbicides and fertilizers, and/or treated timber) and may result in the generation of small amounts of hazardous wastes. BMPs should be followed; appropriate measures to prevent, minimize, and control spills of hazardous materials taken; and any discovered or generated hazardous or non-hazardous wastes disposed in accordance with applicable federal, state, and local requirements.

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

As previously described, findings indicate that hazardous substances above industrial screening standards are present in soils at six (6) borehole locations on the subject property. In accordance with the 2015 CAP, LDEQ may require soil remediation in the areas surrounding the boreholes. If required, remediation would generally consist of excavating the soil to a depth of four (4) feet below the existing ground surface, within an 4- × 4-foot area surrounding each borehole. Excavated soil would be transported and disposed at an appropriate permitted landfill based on a calculated waste profile. If the water table is encountered during excavation, which is not unlikely, dewatering will occur via pumping into the sanitary sewer (if allowed by the Sewerage and Water Board of New Orleans) or transporting and disposing the wastewater at a permitted facility.

Should testing of the excavated soil reveal further contamination, the Applicant would coordinate with LDEQ to determine what additional steps would be required. LA GOHSEP and FEMA would be notified in order to confirm that appropriate EA conditions have been included to ensure compliance with pertinent laws and regulations.

Supplementary federal, state, and/or local rules and regulations for both soil and wastewater transport and disposal also may be applicable. Further, if additional hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination must be initiated in accordance with relevant federal, state, and local rules and regulations.

Apart from remediation activities, due to the age of several of the buildings, lead-based paint is presumed to be present at the facility. In addition, renovation of the structures may involve the use of hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paints, electronic components, pesticides/herbicides and fertilizers, and/or treated timber) and may result in the generation of small amounts of hazardous wastes. BMPs should be followed; appropriate measures to prevent, minimize, and control spills of hazardous materials taken; and any discovered or generated hazardous or non-hazardous wastes disposed in accordance with applicable federal, state, and local requirements.

4.11 Environmental Justice

4.11.1 Regulatory

E.O. 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” was signed on 11 February 1994 (U.S. President. 1994). The E.O. directs federal agencies to make achieving environmental justice part of their missions by identifying and addressing, as appropriate, disproportionately high adverse human health, environmental, economic, and social effects of their programs, policies, and activities on minority and/or low-income populations.

4.11.2 Existing Conditions

Information obtained from the U.S. Census Bureau (USDOC 2010), compiled and extrapolated by the USEPA and presented on its Enforcement and Compliance History website, indicates that the population within a one-mile radius of the proposed project site is composed of 60.2% African-American, 22.4% White, 10.3% Hispanic, and 7.1% other groups. Of these households, 44.3% have incomes less than \$25,000 per year, with approximately 34.5% of individuals existing below the poverty level. For the 5-year dataset 2009-2013, the U.S. Census Bureau’s American Community Survey (USDOC 2013) estimated median household income over the preceding 12 months for New Orleans (Orleans Parish) at \$37,146 (in 2013 inflation-adjusted dollars).

4.11.3 Environmental Consequences

In compliance with E.O. 12898, the following key questions were addressed with regard to potential Environmental Justice concerns:

- Is there an impact caused by the proposed action?
- Is the impact adverse?
- Is the impact disproportionate?
- Has an action been undertaken without considerable input by the affected low-income and/or minority community?

Alternative 1 – No Action

The “No Action” alternative would not involve the implementation of a federal program, policy, or activity. As a result, there would be no disproportionately high adverse effects on low-income or minority populations.

Alternative 2 – Repair of the Existing Buildings with Upgrades to Current Codes and Standards

Repair of the DPW facility to current codes and standards likewise would generate no disproportionately high adverse impacts on low-income or minority populations, since pre-disaster functionality would be restored. If required, remediation of the hazardous materials present within the on-site soils would remove a source of environmental contamination, to the benefit of the entire local community.

Alternative 3 – Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)

For a number of reasons, the proposed action would have no disproportionately high adverse human health, economic, or social effects on minority or low-income populations as specified in E.O. 12898. Through remediation of the hazardous materials present within the on-site soils, a source of environmental contamination would be removed, to the benefit of the entire local community. The consolidation of DPW operations into one facility would allow the existing auto impound lot to be repurposed for a new recreational opportunity in its vicinity. In addition, by moving the Traffic Sign and Signal Shop to the former EMD garage building, the old location within the Lafitte Greenway (about $\frac{3}{4}$ mile to the north) could be demolished, opening up more green space for all residents. Finally, the project site is within an area already zoned for heavy industry, with primarily commercial zones surrounding. The property is on the opposite side of Interstate 10 from the nearest concentration of residences; thus, the slightly increased noise levels from site operations should not be noticeable by residents due to the normal traffic noise from the interstate highway. A few houses remain within the commercial zone directly to the northwest of the DPW property; however, these homes eventually should transition to commercial development. Regardless, input from the affected low-income and/or minority community will be solicited through a public notice process.

5 CUMULATIVE IMPACTS

CEQ regulations state that the cumulative impact of a project represents the “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” (40 C.F.R. § 1508.7).

In its comprehensive guidance on cumulative impacts analysis under NEPA, CEQ notes that “the range of actions that must be considered includes not only the project proposal, but all connected and similar actions that could contribute to cumulative effects” (Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act 2005). The term, “similar actions,” may be defined as “reasonably foreseeable or proposed agency actions [having] similarities that provide a basis for evaluating the environmental consequences together, such as common timing or geography” (40 C.F.R. § 1508.25[a][3]).

Not all potential issues identified during cumulative effects scoping need be included in a DEA. Because some effects may be irrelevant or inconsequential to decisions about the proposed action and alternatives, the focus of the cumulative effects analysis should be narrowed to important issues of national, regional, or local significance. To assist agencies in this narrowing process, CEQ (2007) provides a list of several basic questions to be considered, including: (1) Is the proposed action one of several similar past, present, or future actions in the same geographic area?; (2) Do other activities (governmental or private) in the region have environmental effects similar to those of the proposed action?; (3) Have any recent or ongoing NEPA analyses of similar or nearby actions identified important adverse or beneficial cumulative effect issues?; and (4) Has the impact been historically significant, such that the importance of the resource is defined by past loss, past gain, or investments to restore resources?

It is normally insufficient when conducting a cumulative effects analysis to merely analyze effects within the immediate area of the proposed action. Geographic boundaries should be expanded for cumulative effects analysis and conducted on the scale of human communities, landscapes, watersheds, or airsheds. Temporal frames should be extended to encompass additional effects on the resources, ecosystems, and human communities of concern. A useful concept in determining appropriate geographic boundaries for a cumulative effects analysis is the project impact zone, that is, the area (and resources within that area) that could be affected by the proposed action. The area appropriate for analysis of cumulative effects will, in most instances, be a larger geographic area occupied by resources outside of the project impact zone (CEQ 2007).

The proposed project site is located at 838 S. Genois Street in New Orleans’ Mid-City neighborhood, near the southern edge of the 70119 zip code geographic region. FEMA has determined that the area within a 0.5-mile radius of the site constitutes an appropriate project impact zone. Due to the site’s position near the zip code boundary, use of the territory contained within the 70119 zip code perimeter was not appropriate for a cumulative impact investigation of the proposed action and alternatives. Instead, a one-mile radius around the project site was used for this analysis.

In accordance with NEPA, and to the extent reasonable and practical, this DEA considered the combined effects of the Proposed Action alternative and other actions undertaken by FEMA, as well as actions by other public and private entities, that affect the environmental resources the proposed action also would affect, and occur within the considered geographic area and temporal frame(s).

Specifically, a range of past, present, and reasonably foreseeable future actions undertaken by FEMA within the designated geographic boundary area were reviewed: (1) for similarities such as scope of work, common timing and geography; (2) to determine environmental effects similar to those of the proposed action, if any; and (3) to identify the potential for cumulative impacts. As part of the cumulative effects

analysis, FEMA also reviewed known past, present, and reasonably foreseeable future projects of federal agencies and other parties identified within the designated geographic boundary. These reviews were performed in order to assess the effects of proposed, completed, and ongoing activities and to determine whether the incremental impact of the current proposed action, when combined with the effects of other past, present, and reasonably foreseeable future projects, are cumulatively considerable or significant.

From August 2005 continuing through May 2015, approximately 404 FEMA PA-program-funded emergency protective measure and repair projects have occurred, are occurring, or are reasonably foreseen to occur to buildings, recreational and educational facilities, public utilities, and watercourses within a one-mile radius of the proposed project (*Figure 12*). FEMA-funded undertakings are divided into six (6) categories, four (4) of which are represented within the subject one-mile radius: Category B – emergency protective measures, Category E – public buildings, Category F – public utilities, and Category G – recreational or other. The percentage for each type of project is as follows: Category B – 40.8%, Category E – 53.0%, Category F – 0.5%, and Category G – 5.7%. All FEMA-funded actions are subjected to various levels of environmental review as a requirement for the receipt of federal funding. An applicant’s failure to comply with any required environmental permitting or other condition is a serious violation which can result in the loss of federal assistance, including funding.

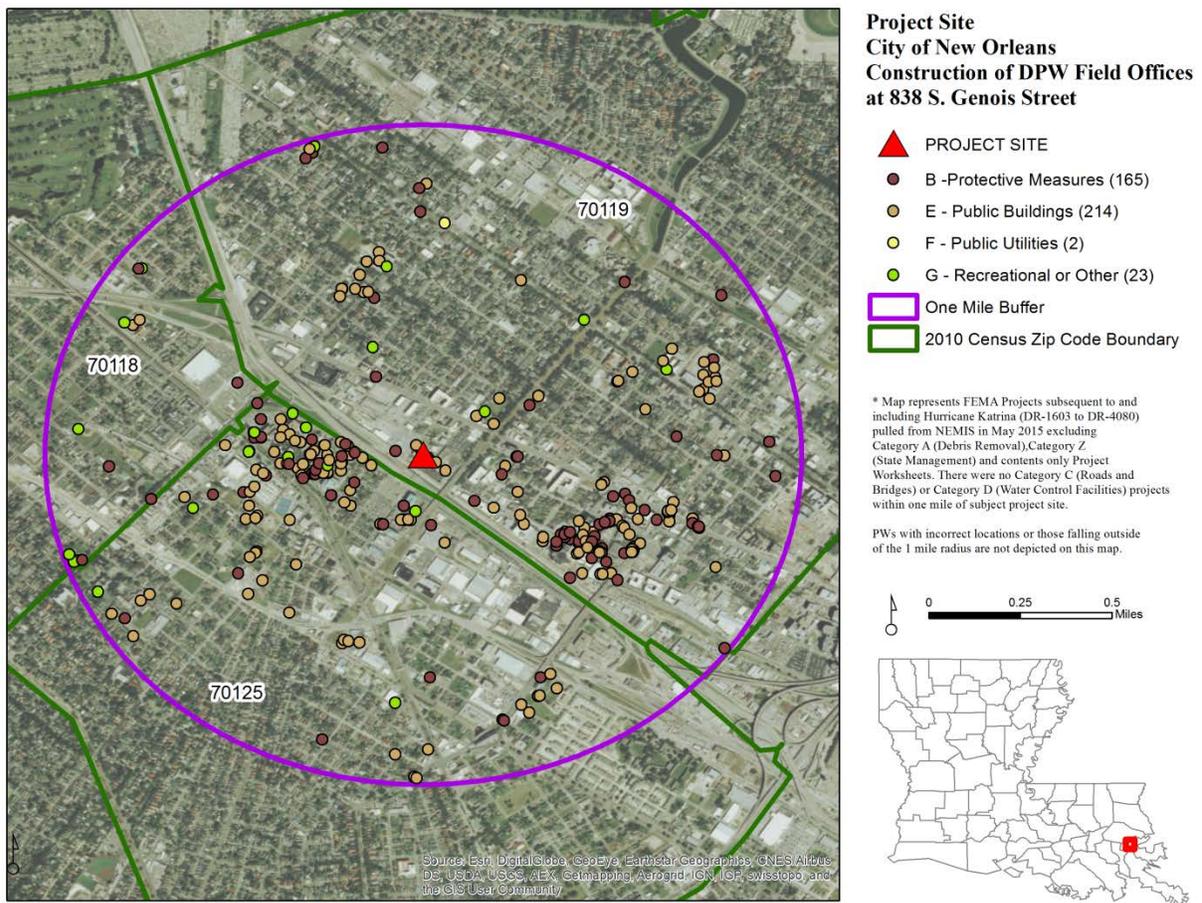


Figure 12 – FEMA-funded projects occurring within a one-mile radius around the proposed project site

After the devastation of the 2005 hurricane season, the USACE, Mississippi Valley Division, New Orleans District was tasked with the planning, design, and construction of a 350-mile system of levees, floodwalls, surge barriers, and pump stations to “increase public safety and enable the physical and economic recovery of the area to occur through the reduction of storm damage risk to residences,

businesses, and other infrastructure from hurricanes (100-year storm events) and other high-water events within the Greater New Orleans Metropolitan Area.” Referred to as the Greater New Orleans Hurricane and Storm Damage Risk Reduction System (HSDRRS), it is one of the largest civil works projects ever undertaken, at an estimated cost of \$14 billion (DoA 2013a). Two (2) major drainage features associated with this infrastructure project are present within one (1) mile of the proposed project, namely, Bayou St. John (Waterbody ID# LA041301) and Lake Pontchartrain Drainage Canal (Waterbody ID# LA041302). They serve to remove excess water from the area more efficiently, providing a positive cumulative benefit by reducing flooding.

Table 2 below lists and briefly describes known present, past, and reasonably foreseeable infrastructure and recovery improvement projects, including activities identified by FEMA but not FEMA-funded, within a one-mile radius of the proposed project, for which environmental assessments were performed, and/or that may have the potential for cumulative impacts when combined with the effects of the present proposed action. The table also identifies the potential for cumulative impacts when combined with the effects of the proposed action and the rationale for that assessment.

Table 2 – Projects that May Have the Potential to Contribute to Cumulative Impacts

Project Name / Status	Lead Agency	Location	Description	Cumulative Impact	Rationale
Templeman Prison Complex	FEMA	846 S. Dupre Street New Orleans, LA 70119	Repair and/or reconstruction of prison complex	Negligible	Restoration and improvements to existing infrastructure; no impact on proposed action
Orleans Parish Prison Complex	FEMA	2700 Gravier Street New Orleans, LA 70119	Repair and/or reconstruction of prison complex	Negligible	Restoration and improvements to existing infrastructure; no impact on proposed action
Xavier University of Louisiana	FEMA	1 Drexel Drive New Orleans, LA 70125	Repair and/or reconstruction of campus buildings at original or new locations within existing campus	Negligible	Restoration and/or improvements to existing infrastructure or within previously disturbed areas; no impact on proposed action
B.W. Cooper Housing Community	HUD	3416 Erato Street New Orleans, LA 70125	Reconstruction of public housing at the original location	Negligible	Restoration and improvements to existing infrastructure; no impact on proposed action
SWBNO Pump Stations	USACE	Throughout Orleans Parish	Pump station elevation	Negligible	Restoration and improvements to existing infrastructure; no impact on proposed action

CUMULATIVE IMPACTS

Project Name / Status	Lead Agency	Location	Description	Cumulative Impact	Rationale
Comprehensive Environmental Document, Phase I Study for HSDRRS (DoA 2013a)	USACE	217 miles of post-Katrina HSDRRS work located within the Greater New Orleans Metropolitan Area; the area within Lake Pontchartrain and Vicinity (LPV) and West Bank and Vicinity (WBV).	Evaluates the cumulative impacts associated with the implementation of the HSDRRS; describes cumulative impacts of HSDRRS construction completed as of July 2011; and incorporates information from Individual Environmental Reports (IERs) and supplemental IERs completed as of 15 November 2010	Less than significant	Adversely affected resources for the HSDRRS project (regional soils, habitat supporting wildlife, wetlands and jurisdictional bottomland hardwood resources) are significantly different from those in the currently proposed action. Through mitigation and compensation measures, the overall socioeconomic benefits are expected to outweigh the unavoidable natural resources impacts and, thus, would not impact the proposed action.
Programmatic IER #36 – LPV Mitigation (DoA 2013b)	USACE	Lake Pontchartrain Basin, between Interstate 12 and the Mississippi River	Evaluates the alternatives to compensate for unavoidable habitat losses resulting from construction of the LPV HSDRRS; identifies the Tentatively Selected Mitigation Plan Alternative for mitigating impacts to four habitat categories: wet and dry bottomland hardwood forests, swamps, and marshlands	Negligible	Impacts to resources are significantly different than those of the proposed action; no impact on proposed action
Response to Hurricanes Katrina and Rita EA #433 and FONSI (DoA 2006a, 2006b)	USACE	Orleans, St. Bernard, Jefferson, Plaquemines, St. Mary's, Terrebonne, and Lafourche Parishes	Evaluates emergency actions to unwater New Orleans Metropolitan Area; rehabilitate federally authorized levees, and restore non-federal levees and pump stations (Orleans, St. Bernard, Jefferson and Plaquemines Parishes); and flood flight operations (St. Mary's, Terrebonne, and Lafourche Parishes)	None	Adverse impacts to resources (wetlands) required compensatory mitigation and are significantly different from those in the currently proposed action; no similar resources associated with proposed action; no impact on proposed action

As identified in Table 2, the cumulative effect of these present, past, and reasonably foreseeable future undertakings is not anticipated to result in a significant impact to any resource. Each of the projects aims to restore the function of pre-existing infrastructure within an urban setting, with minimal impacts to the

natural and human environment. Projects related to USACE efforts to improve the levee protection system of the Greater New Orleans Area will result in short- and long-term impacts to the human and natural environment; however, the protection the levees afford from flooding is viewed to be a net positive effect. To reduce the environmental impacts from levee construction, mitigation measures for impacted resources have been implemented where possible and where required (DoA 2013a).

6 CONDITIONS AND MITIGATION MEASURES

Construction of the proposed improvements at the proposed location was analyzed based on the studies, consultations, and reviews undertaken as reported in this DEA. The findings of this DEA conclude that no significant adverse impacts to geology, groundwater, floodplains, public health and safety, hazardous materials, socioeconomic resources, environmental justice, or cultural resources are anticipated from the proposed action at the proposed site under the Proposed Action Alternative.

During project construction, short-term impacts to soils, surface water, transportation, air quality, and noise are anticipated and conditions have been incorporated to mitigate and minimize the effects. Project short-term adverse impacts would be mitigated using BMPs, such as silt fences, proper vehicle and equipment maintenance, and appropriate signage. No long-term adverse impacts are anticipated from the proposed project. Therefore, FEMA presently finds the proposed action meets the requirements for a Finding of No Significant Impacts (FONSI) under NEPA and the preparation of an EIS will not be required. If new information is received that indicates there may be significant adverse effects, then FEMA would revise these findings and issue a second public notice for additional comments; however, if there are no changes, this Draft EA will become the Final EA.

Based upon the studies, reviews, and consultations undertaken in this DEA, several conditions must be met and mitigation measures taken by CNO prior to and during project implementation:

- The Applicant must follow all applicable local, state, and federal laws, regulations, and requirements and obtain and comply with all required permits and approvals prior to initiating work.
- The Cultural Resources conditions and processes are set forth in the *Memorandum of Agreement Among the Federal Emergency Management Agency the Louisiana State Historic Preservation Officer and the City of New Orleans Regarding the Demolition of the Department of Public Works Complex, 838 S. Genois Street, New Orleans, LA*, and attached hereto (Appendix D). A summary is provided here. There will be a design review of the proposed new construction (Stipulation II). There is a process outlining the communication that needs to happen (Stipulation III). There will be photo recordation of the existing structures prior to demolition, the development of a historic narrative, the creation of an interpretive display (Stipulation IV), and provision for un-anticipated discoveries (Stipulation V). Additionally, there are administrative stipulations. The end date of the Memorandum of Agreement is 31 December 2015.
- Project construction would involve the use of potentially hazardous materials (e.g., petroleum products, including but not limited to gasoline, diesel, brake and hydraulic fluid, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, and/or treated timber) and may result in the generation of small volumes of hazardous wastes. Appropriate measures to prevent, minimize, and control spills of hazardous materials must be taken and generated hazardous or non-hazardous wastes are required to be disposed in accordance with applicable federal, state, and local regulations.
- The Louisiana Department of Natural Resources (LDNR) requires that a complete Coastal Use Permit (CUP) Application package (Joint Application Form, location maps, project illustration plats with plan and cross section views, etc.) along with the appropriate application fee, be submitted to their office prior to construction. The Applicant is responsible for coordinating with and obtaining any required CUPs or other authorizations from the LDNR OCM's Permits and Mitigation Division prior to initiating work. The Applicant must comply with all conditions of the required permits. All documentation pertaining to these activities and Applicant compliance with any conditions should be forwarded to the state and FEMA for inclusion in the permanent project files.

- Applicant must comply with all local, state, and federal requirements related to sediment control, disposal of solid waste, control and containment of spills, and discharge of surface runoff and/or stormwater from the site.
- If the project results in a discharge to waters of the state, a Louisiana Pollutant Discharge Elimination System (LPDES) permit may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater. In order to minimize indirect impacts (erosion, sedimentation, dust, and other construction-related disturbances) to nearby waters of the U.S. and surrounding drainage areas, the contractor must ensure compliance with all local, state, and federal requirements related to sediment control, disposal of solid waste, control and containment of spills, and discharge of surface runoff and stormwater from the site. All documentation pertaining to these activities and Applicant compliance with any conditions should be forwarded to LA GOHSEP and FEMA for inclusion in the permanent project files.
- Per 44 C.F.R. § 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. Per 44 C.F.R. § 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. 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 must be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files.
- All activities involving the remediation of known hazardous substances present in on-site soils must be conducted in accordance with LDEQ requirements and as specified in the approved Corrective Action Plan. Activities involving the remediation of as yet undiscovered hazardous substances in on-site soil and groundwater must be conducted in accordance with relevant LDEQ requirements. Remediation activities for such undiscovered contaminants may not begin until LDEQ approval has been received by the Applicant.
- Unusable equipment, debris, and material shall be disposed of in an approved manner and location. The Applicant shall handle, manage, and dispose of petroleum products, hazardous materials, and/or toxic waste in accordance with all local, state, and federal agency requirements. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- If any asbestos containing materials (ACM) and/or other hazardous materials are found during remediation or repair/replacement activities, the Applicant shall comply with all federal, state and local abatement and disposal requirements under the National Emissions Standards for Hazardous Air Pollutants (NESHAP) and Louisiana Administrative Code 33:III 5151. Demolition activities related to possible ACM must be inspected for asbestos where it is safe to do so. Should ACM be present, the Applicant is responsible for ensuring proper disposal in accordance with the previously referenced administrative orders. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files. Regardless of the asbestos content, the Applicant is responsible for ensuring that all renovation or demolition activities are coordinated with the LDEQ to the extent required prior to initiating work. All documentation pertaining to these activities and Applicant compliance with any conditions should be forwarded to the state and FEMA for inclusion in the permanent project files.

CONDITIONS AND MITIGATION MEASURES

- Contractor and/or sub-contractors must properly handle, package, transport and dispose of hazardous materials, and/or waste in accordance with all local, state, and federal regulations, laws, and ordinances, including all Occupational Safety and Health Administration (OSHA) worker exposure regulations covered within 29 C.F.R. § 1910 and 1926. The Applicant is responsible for ensuring that renovation or demolition work is coordinated with the LDEQ for abatement activities.
- Applicant should handle, manage, and dispose of potentially hazardous waste, biomedical waste, radioactive waste, universal waste, and hazardous materials in accordance with the requirements of local, state, and federal regulations. These materials may include but are not limited to asbestos, lead-based paint, laboratory reagents, propane cylinders, paints and solvents, coolants containing chlorofluorocarbons (CFCs), used oil, polychlorinated biphenyls (PCBs), other petroleum products, used oil filters, fuel filters, cleaning chemicals, pesticides, batteries, and unlabeled tanks and containers. Equipment that may include these materials are ice machines, refrigerators, generators, computers, televisions, mercury switches, fluorescent lights, fluorescent light ballasts, sandblast units, paint sprayers, etc.
- All waste is to be transported by an entity maintaining a current "waste hauler permit" specifically for the waste being transported, as required by Louisiana Department of Transportation and Development and other regulations.

7 PUBLIC INVOLVEMENT

The public is invited to comment on the proposed action. A legal notice was published on Wednesday, 5 August, Friday, 7 August, and Sunday, 9 August 2015, in the *Times-Picayune*, the journal of record for Orleans Parish, as well as in *The Advocate – New Orleans Edition*, from Monday, 3 August through Friday, 7 August 2015. Additionally, the Draft Environmental Assessment was made available for review at the New Orleans Public Library located at 219 Loyola Avenue, New Orleans, LA 70112. Further, there was a 15-day comment period, beginning on Monday, 10 August, and concluding on Tuesday, 25 August 2015, at 4:00 p.m. The document also was published on FEMA’s websites. A copy of the Public Notice is attached in Appendix E.

8 AGENCY COORDINATION

Louisiana Department of Environmental Quality

Louisiana Department of Natural Resources

Louisiana Department of Wildlife and Fisheries

Louisiana State Historic Preservation Office

Tribal Historic Preservation Office and/or cultural offices

U.S. Environmental Protection Agency

U.S. Fish and Wildlife Service

U.S. Army Corps of Engineers

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Appendix A

Proposed Site Plan

Appendix B

Agency Correspondence



April 23, 2015

MEMORANDUM TO: See Distribution

SUBJECT: Scoping Notification/Solicitation of Views

To Whom It May Concern:

The Department of Homeland Security's Federal Emergency Management Agency (FEMA) is mandated by the U.S. Congress to administer federal disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. The Stafford Act authorizes FEMA's Public Assistance Program to provide emergency temporary administrative, educational, medical, or other support facilities for areas impacted by disasters while repairs and reconstruction of storm damaged facilities are being undertaken.

The attached drawings correspond to a proposed project for which FEMA funding has been requested.

Hurricane Katrina made landfall on August 29, 2005, near the town of Buras, Louisiana, with sustained winds of more than 125 miles per hour. The accompanying storm surge damaged levees and entered New Orleans from various coastal waterways, resulting in flooding throughout much of the city. The storm's high winds, heavy rains, and flooding caused considerable damage to the site of the City of New Orleans' Department of Public Works (DPW) Field Offices facility at 838 S. Genois St., New Orleans, LA 70119. Site coordinates are Latitude 29.964410°N, Longitude -90.101460°W.

This improved project represents the applicant's request for the construction of a new facility at the current location, once all of the existing structures (with the exception of the EMD Garage Building) have been demolished (see attached Existing Site Building Map for a depiction of buildings to be removed). The project, as proposed, would serve to replace the pre-storm DPW functions, as well as permit the consolidation of other functions currently located elsewhere in the city. The new facility would allow for relocation of the City's auto impound lot, transfer the offices of the parking meter readers, stage the storm sewer vacuum trucks, and allow the relocation of the Traffic Sign and Signal Shop. The Traffic Sign and Signal Shop would occupy the existing EMD Garage Building on the site. The new main building to be constructed would house administrative, inventory, and maintenance/shop functions.

To ensure compliance with the National Environmental Policy Act (NEPA), Executive Orders (EOs), and other applicable federal regulations, FEMA-EHP will be preparing an Environmental Assessment (EA). To assist us in preparation of the EA, FEMA-EHP requests that your office review the attached documents for a determination as to the requirements of any formal consultations, regulatory permits, determinations, or authorizations.

Please respond within thirty (30) calendar days of the date of this scoping notification. If our office receives no comments at the close of this period, we will assume that your agency does not object to the project as proposed.

Comments may be e-mailed to robert.smith@associates.fema.dhs.gov or mailed to the attention of R. Darrell Smith, Environmental Department, at the address above.

For questions regarding this matter, please contact Darrell Smith, Environmental Specialist, at (504) 875-1192.

Tiffany Spann-Winfield
Deputy Environmental Liaison Officer

Distribution: LDEQ, USEPA, LDWF, LDNR, USACE

R. DARRELL SMITH (CTR)
ENVIRONMENTAL SPECIALIST
1603-DR-LA
BB (504) 875-1192

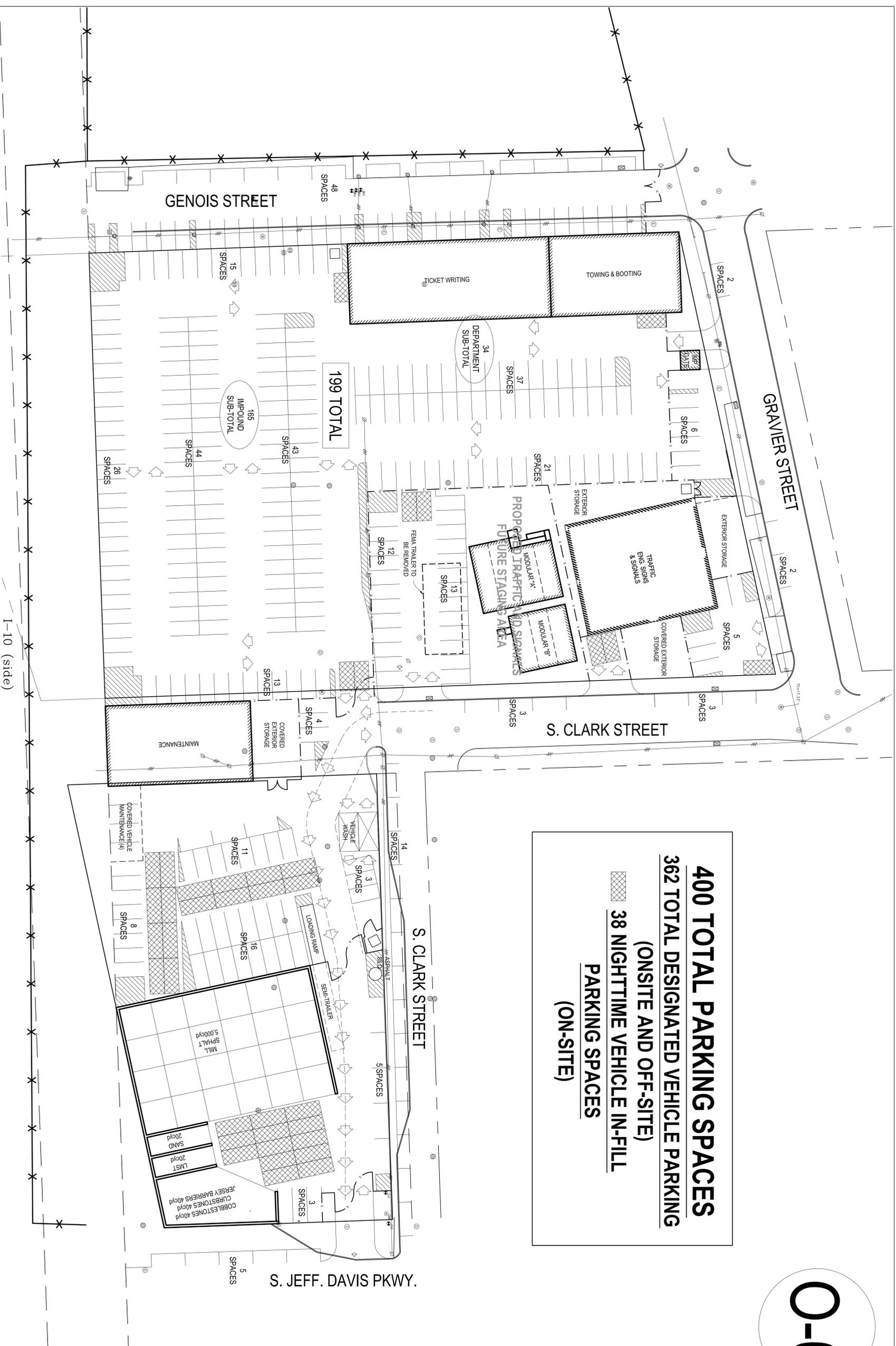
0-6

Verges Rome

Architects

320 N. Carrollton Avenue, Suite 100
New Orleans, Louisiana 70119
T. 504.488.7739 F. 504.488.7743
www.VergesRome.com
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400 TOTAL PARKING SPACES
362 TOTAL DESIGNATED VEHICLE PARKING
(ONSITE AND OFF-SITE)
38 NIGHTTIME VEHICLE IN-FILL
PARKING SPACES
(ON-SITE)



CNO - DPW MULTI-PURPOSE SITE WORK

838 SOUTH GENOIS STREET

NEW ORLEANS, LA

DATE ISSUED:	23 JUNE 2014
REVISED:	
REVISOR:	
REVISOR:	
REVISOR:	
DRAWN BY:	RMH
CHECKED BY:	SHR
PHASE:	

SCHEMATIC DESIGN

13063

TITLE: **SITE PLAN**

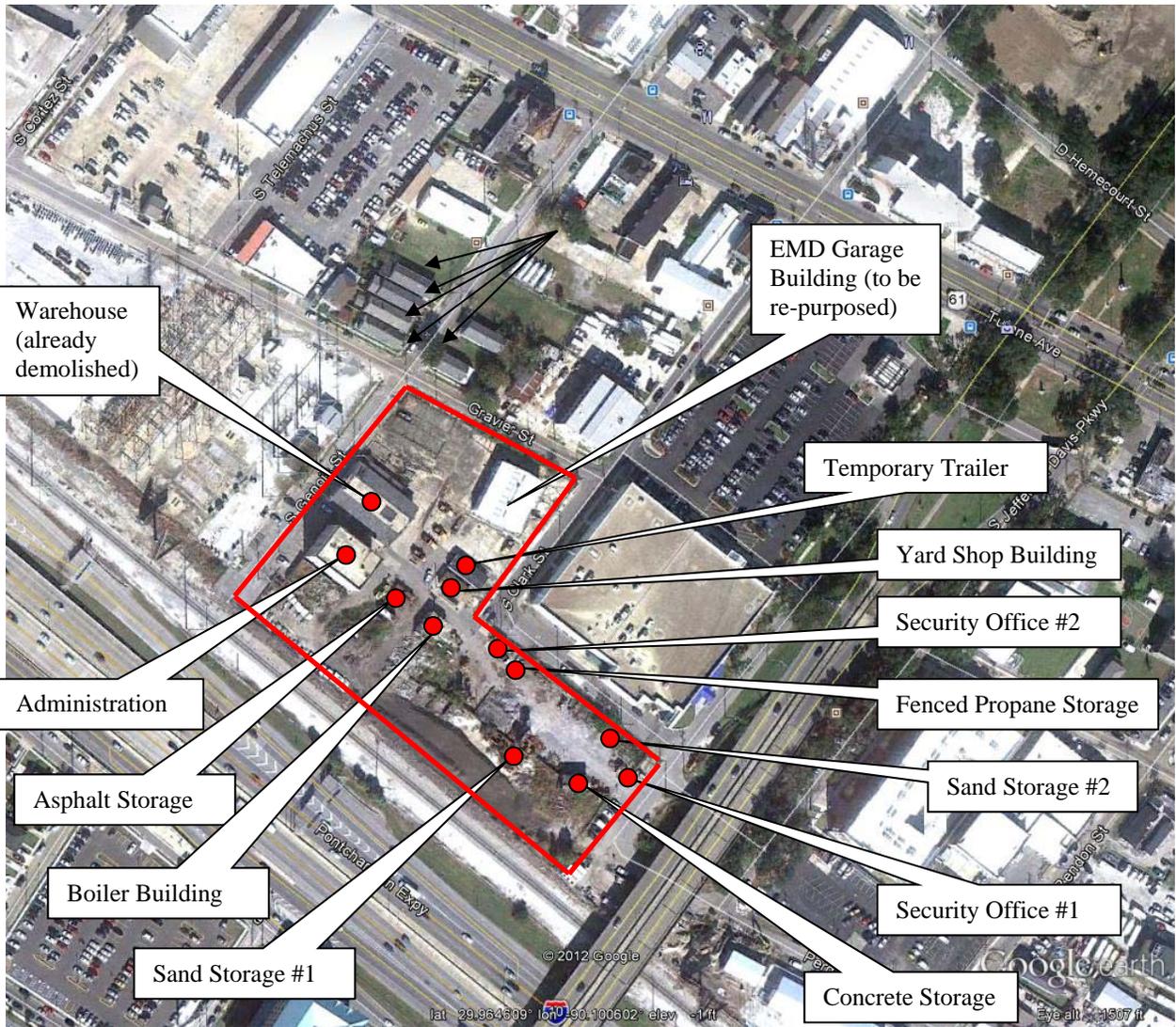
SHEET:

A1.01

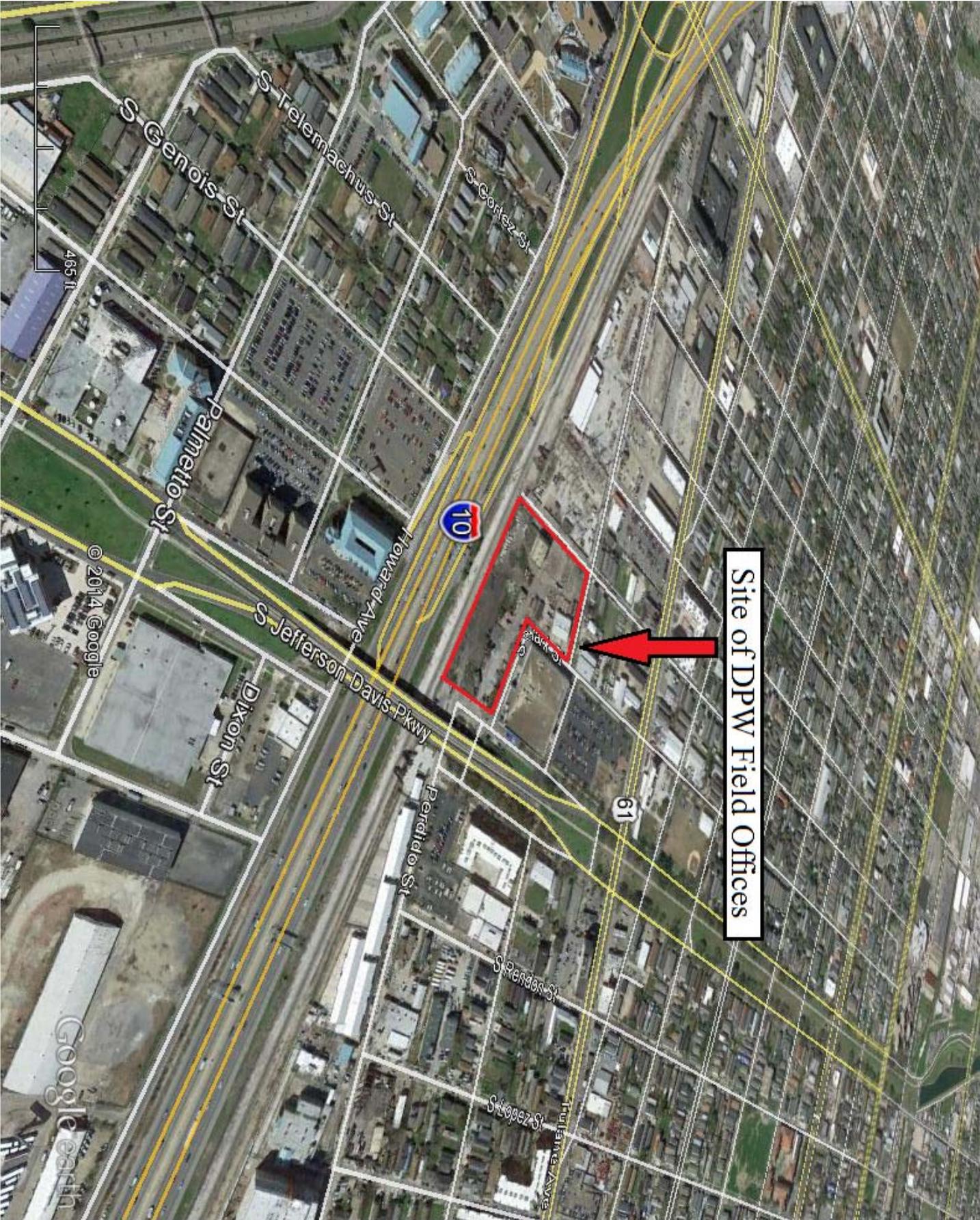
1 SITE PLAN
A1.01 / 1" = 30'-0"



CITY OF NEW ORLEANS
ZONING #1 & #2 DISTRICT



Project site outlined in red. Structures to be removed/demolished indicated by red circles.



Site of DPW Field Offices

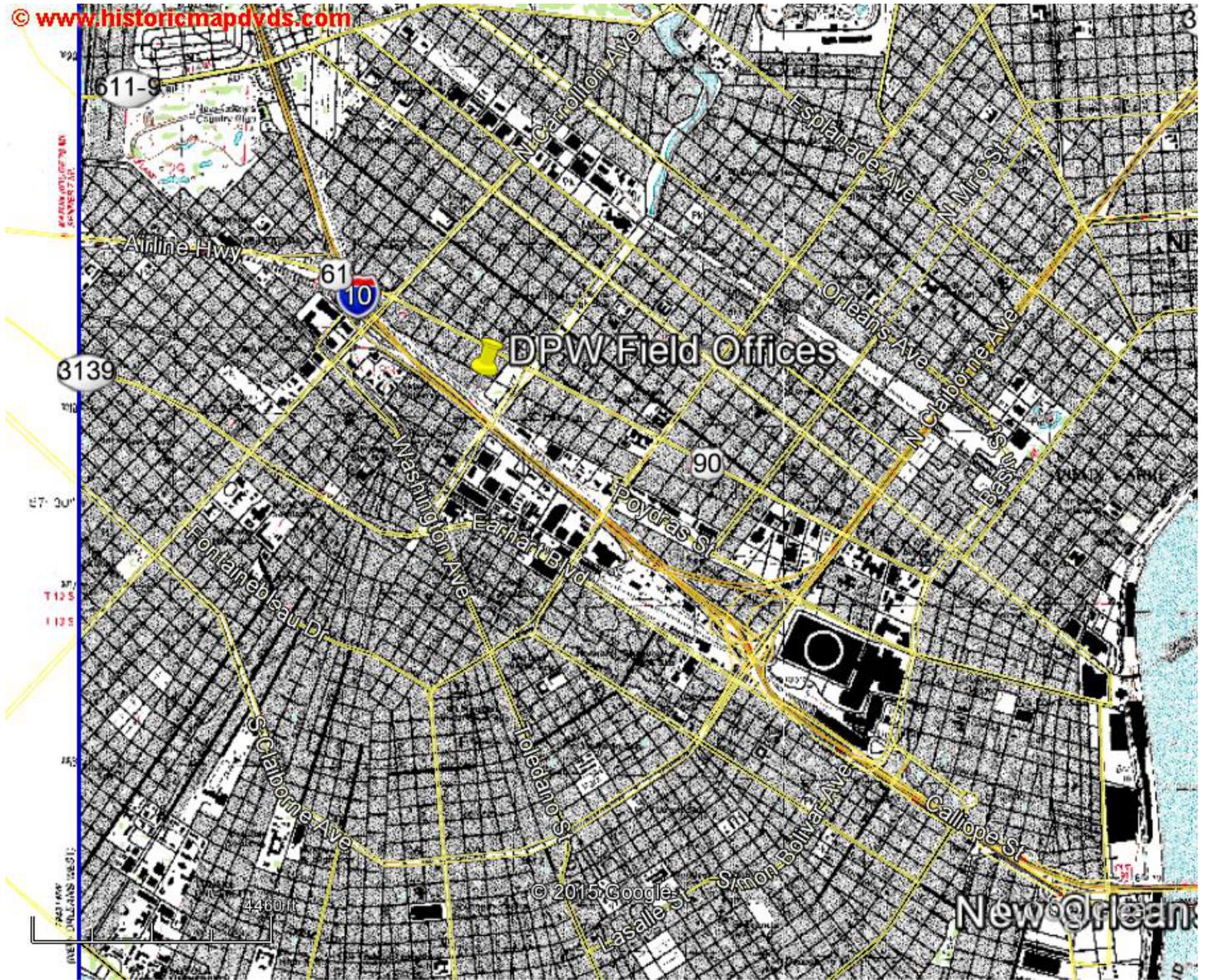


61

465 ft

© 2014 Google

Google earth



Google earth





Louisiana Ecological Services Office

ESA Technical Assistance Form

General Information

Name: FEMA

Point of Contact: R. Darrell Smith

Address: 1500 Main Street

City: Baton Rouge

State: Louisiana

Zip Code: 70802

Phone Number 1: 504-875-1192

Phone Number 2: _____

Email Address: robert.smith@associates.fema.dhs.gov

Proposed Project Information

Project Reference ID: 4740

Project Latitude: 29.96441 **Project Longitude:** -90.10146

Project Parish(es): Orleans

Project Description: This improved project represents the applicant's request for the construction of a new facility at the current location, once all but one of the existing structures have been demolished. The project, as proposed, would serve to replace the pre-storm DPW functions, as well as permit the consolidation of other functions currently located elsewhere in the city. The new facility would allow for relocation of the City of New Orleans' auto impound lot, transfer the offices of the parking meter readers, stage the storm sewer vacuum trucks, and allow the relocation of the Traffic Sign and Signal Shop. The Traffic Sign and Signal Shop would occupy the remaining original building on the site. The new main building to be constructed would house administrative, inventory, and maintenance/shop functions.

Based on the information provided, the proposed project is not an activity that would affect a federally listed threatened or endangered species; nor is there proposed or designated critical habitat present within this Parish.

Therefore, a "no effect" conclusion is appropriate. No further ESA coordination with the Service is necessary for the proposed action, unless there are changes in the scope or location of the proposed project or the project has not been initiated one year from the date of this letter.

If the proposed project has not been initiated within one year, follow-up coordination via this website should be accomplished prior to making expenditures because our threatened and endangered species information is updated annually. If the scope or location of the proposed project is changed, coordination via this website should occur as soon as such changes are made.

This finding completes project review by the Service for effects to Federal trust resources under our jurisdiction and currently protected by the ESA.

Please keep a copy of this pre-development coordination for your records. Do not send it to the Lafayette ES Office.



Louisiana Ecological Services Office

ESA Technical Assistance Form

Project Type: **Non-Emergency FEMA Project**

Does the project propose to obtain, remodel, refurbish, or rehabilitate existing structures in such a way that does not significantly alter the present capacity or use, and does not alter surrounding land areas that were previously undisturbed? **No**

Does the project propose to reconstruct, resurface, or enhance infrastructure and/or cityscape (e.g. streets, sewers, sidewalks, etc.) within the current footprint of the infrastructure and in a manner that does not disturb previously undisturbed ground? **No**

Does the project propose to remove urban blight through the demolition of unwanted and unsightly structures in a manner that does not disturb surrounding plant or animal habitat; including the planned locations for disposal and stockpiling of demolition debris? **No**

Is the construction project located entirely within the footprint of an established urban/suburban area (incorporated villages, towns, or cities)? **Yes**



State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

04/28/2015

FEMA
1500 MAIN STREET
BATON ROUGE, LA 70802

**RE: P20150415, Solicitation of Views
FEMA**

Description: Proposed construction of a new DPW facility. The new facility would act to relocate the City's auto impound lot, parking meter readers, stage the storm sewer vacuum trucks, and allow the relocation of the Traffic Sign and Signal Shop.

Location: Lat 29° 57' 51.88"N / Long 90° 06' 05.26"W; Located in New Orleans, LA.

Orleans Parish, LA

Dear R. Darrell Smith:

We have received your Solicitation of Views for the above referenced project, which has been found to be inside the Louisiana Coastal Zone. In order for us to properly review and evaluate this project, we require that a complete Coastal Use Permit Application packet (Joint Application Form, locality maps, project illustration plats with plan and cross section views, etc.) along with the appropriate application fee be submitted to our office. Using your complete application, we can provide you with an official determination, and begin the processing of any Coastal Use Permit that may be required for your project. You may obtain a free application packet by calling our office at (225) 342-7591 or (800)-267-4019, or by visiting our website at <http://www.dnr.state.la.us/crm/coastmgt/cup/cup.asp>.

We recommend that, during your planning process, you make every effort to minimize impacts to vegetated wetlands. As our legislative mandate puts great emphasis on avoiding damages to these habitats, in many cases the negotiations involved in reducing such disturbances and developing the required mitigation to offset the lost habitat values delay permit approval longer than any other factor. Additionally, the following sensitive features may require additional processing time by the appropriate resource agencies:

Chitimacha Tribe of Louisiana - contact Kimberly S. Walden (Cultural Director) or Melanie Aymond (Research Coordinator) at (337) 923-9923 or (337) 923-4395. Office hours are Monday through Thursday from 7:30 A.M. - 5:00 P.M. and on Friday between 7:30 A.M. - 11:30 A.M. If traditional cultural properties are discovered on the weekend or after business hours, the notification shall be made the next business morning.

Should you desire additional consultation with our office prior to submitting a formal application, we recommend that you call and schedule a pre-application meeting with our Permit Section staff. Such a preliminary meeting may be helpful, especially if a permit application that is as complete as possible is presented for evaluation at the pre-application meeting.

If you have any questions, would like to request an application packet or would like to schedule a pre-application meeting, please contact Brad Hester at (225) 342-9410 or Brad.Hester@LA.GOV.

Sincerely,

A handwritten signature in black ink that reads "Karl L. Morgan". The signature is written in a cursive style with a long, sweeping underline.

Karl L. Morgan
Administrator

Karl L. Morgan/bh

Attachments

P20150415, Solicitation of Views
FEMA
04/28/2015
Page 3

Final Plats:

1) [P20150415](#) [Final Plats](#) [04/23/2015](#)

cc: Jessica Diez, OCM w/plats
Craig Leblanc, Frank Cole, CMD/FI w/plats
Orleans Parish w/plats

Smith, R. Darrell (CTR)

Sent:
To:
Subject:

Mr. Smith,

The U.S. Environmental Protection Agency (EPA) has completed your request for a review of the scoping notification and solicitation of views concerning the City of New Orleans Department of Public Works Field Offices Facility. The scope of the work for the project includes construction of a new facility once all of the existing structures have been demolished. The comments that follow are being provided relative to the EPA's *404(b)(1) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (40 CFR Part 230)*.

Our preliminary review did not reveal any jurisdictional waters of the U.S. on the proposed site; therefore, the EPA does not object to the project as proposed. Thanks for the opportunity to review the proposed project. If you have any questions or would like to discuss the issue further, please do not hesitate to contact me.

Raul Gutierrez, Ph.D.
Wetlands Section (6WQ-EM)
US EPA Region 6
(504) 862-2371

Office:
US Army Corps of Engineers
New Orleans District
CEMVN-OD-SC
Post Office Box 60267
New Orleans, Louisiana 70160-0267

From: Smith, R. Darrell (CTR) [<mailto:robert.smith@associates.fema.dhs.gov>]
Sent: Thursday, April 23, 2015 10:18 AM
To: Linda.Hardy@la.gov; Gutierrez, Raul; cmichon@wlf.la.gov; Karl.Morgan@la.gov; Amy.E.Powell@usace.army.mil
Cc: Myers, Megan; Spann, Tiffany
Subject: Scoping Notification/Solicitation of Views - DPW Field Offices - Orleans Parish, LA

To Whom It May Concern:

FEMA is currently reviewing an improved project request for the construction of a new facility in New Orleans, Orleans Parish, Louisiana, once all but one of the existing structures have been demolished. The full description of the proposed project may be found in the attached memo. The project would be located at 838 S. Genois Street, with site coordinates of Latitude 29.96441°N, Longitude -90.10146°W. In addition to the SOV Memo, attached to assist you in your review are:

1. Aerial photograph of site
2. USGS 7.5-minute topographic map with site plotted
3. Existing site building map indicating the structures to be demolished
4. Proposed site plan

Please respond within thirty (30) calendar days of the date of this scoping notification. If our office receives no comments at the close of this period, we will assume that your agency does not object to the project as proposed.

Thank you for your time and consideration. Should you require any additional information, please do not hesitate to contact me.

Sincerely,
Darrell Smith

R. Darrell Smith, Ph.D. (CTR)
NISTAC Contractor
FEMA Area Field Office
Southern Regional Research Center
U.S. Department of Agriculture
1100 Robert E. Lee Boulevard
New Orleans, LA 70124
(504) 875-1192 (cell)
E-mail: robert.smith@associates.fema.dhs.gov



BOBBY JINDAL
GOVERNOR

State of Louisiana
DEPARTMENT OF WILDLIFE AND FISHERIES
OFFICE OF WILDLIFE

ROBERT J. BARHAM
SECRETARY
JIMMY L. ANTHONY
ASSISTANT SECRETARY

Date April 29, 2015

Name Darrell Smith

Company FEMA

Street Address 1500 Main Street

City, State, Zip Baton Rouge, LA 70802

Project DPW Field Offices
Orleans Parish

Project ID

Invoice Number 15042915

Personnel of the Coastal & Nongame Resources Division have reviewed the preliminary data for the captioned project. After careful review of our database, no impacts to rare, threatened, or endangered species or critical habitats within Louisiana's boundary are anticipated for the proposed project. No state or federal parks, wildlife refuges, scenic streams, or wildlife management areas are known at the specified site within Louisiana's boundaries.

The Louisiana Natural Heritage Program (LNHP) has compiled data on rare, endangered, or otherwise significant plant and animal species, plant communities, and other natural features throughout the state of Louisiana. Heritage reports summarize the existing information known at the time of the request regarding the location in question. The quantity and quality of data collected by the LNHP are dependent on the research and observations of many individuals. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Louisiana have not been surveyed. This report does not address the occurrence of wetlands at the site in question. Heritage reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. LNHP requires that this office be acknowledged in all reports as the source of all data provided here. If at any time Heritage tracked species are encountered within the project area, please contact the LNHP Data Manager at 225-765-2643. If you have any questions, or need additional information, please call 225-765-2357.

Sincerely,


for Amity Bass, Coordinator
Natural Heritage Program

Smith, R. Darrell (CTR)

Sent:
To:
Cc:
Subject:

June 25, 2015

R. Darrell Smith, Ph. D.
FEMA Field Office
1100 Robert E. Lee Blvd
New Orleans, LA 70214
robert.smith@associates.fema.dhs.gov

RE: 150519/0560 Construction of New DPW Facility in New Orleans
 FEMA Funding
 Orleans Parish

Dear Dr. Smith:

The Department of Environmental Quality (LDEQ), Business and Community Outreach Division has received your request for comments on the above referenced project.

After reviewing your request, the Department has no objections based on the information provided in your submittal. However, for your information, the following general comments have been included. Please be advised that if you should encounter a problem during the implementation of this project, you should immediately notify LDEQ's Single-Point-of-contact (SPOC) at (225) 219-3640.

- Please take any necessary steps to obtain and/or update all necessary approvals and environmental permits regarding this proposed project.
- If your project results in a discharge to waters of the state, submittal of a Louisiana Pollutant Discharge Elimination System (LPDES) application may be necessary.
- If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater.
- All precautions should be observed to control nonpoint source pollution from construction activities. LDEQ has stormwater general permits for construction areas equal to or greater than one acre. It is recommended that you contact the LDEQ Water Permits Division at (225) 219-9371 to determine if your proposed project requires a permit.
- If your project will include a sanitary wastewater treatment facility, a Sewage Sludge and Biosolids Use or Disposal Permit is required. An application or Notice of Intent will be required if the sludge management practice includes preparing biosolids for land application or preparing sewage sludge to be hauled to a landfill. Additional information may be obtained on the LDEQ website at <http://www.deq.louisiana.gov/portal/tabid/2296/Default.aspx> or by contacting the LDEQ Water Permits Division at (225) 219- 9371.
- If any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps directly regarding permitting issues. If a Corps permit is required, part of the application process may involve a water quality certification from LDEQ.
- All precautions should be observed to protect the groundwater of the region.
- Please be advised that water softeners generate wastewaters that may require special limitations depending on local water quality considerations. Therefore if your water system improvements include water softeners, you are advised to contact the LDEQ Water Permits to determine if special water quality-based limitations will be necessary.

- Any renovation or remodeling must comply with LAC 33:III.Chapter 28, Lead-Based Paint Activities; LAC 33:III.Chapter 27, Asbestos-Containing Materials in Schools and State Buildings (includes all training and accreditation); and LAC 33:III.5151, Emission Standard for Asbestos for any renovations or demolitions.
- If any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents are encountered during the project, notification to LDEQ's Single-Point-of-Contact (SPOC) at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous constituents.

Currently, Orleans Parish is classified as attainment with the National Ambient Air Quality Standards and has no general conformity determination obligations.

Please send all future requests to my attention. If you have any questions, please feel free to contact me at (225) 219-3954 or by email at linda.hardy@la.gov.

Sincerely,

Linda M. Hardy

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Louisiana Department of Environmental Quality
Office of the Secretary
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Appendix C

8-Step Decision-Making Process

**FLOODPLAIN 8-STEP PLANNING DOCUMENT
CITY OF NEW ORLEANS
DEPARTMENT OF PUBLIC WORKS FIELD OFFICES
ORLEANS PARISH
ENVIRONMENTAL ASSESSMENT
FEMA 1603-DR-LA**

Executive Order 11988 - FLOODPLAIN MANAGEMENT
Executive Order 11990 - WETLAND PROTECTION

Date: 18 May 2015
Prepared by: John Renne, Floodplain Specialist
Applicant: City of New Orleans
Project Title: Department of Public Works Field Offices
Latitude: 29.96441° N **Longitude:** -90.10146°W

Hurricane Katrina, DR-1603, impacted Orleans Parish Louisiana and resulted in a presidentially declared major disaster. The City of New Orleans (CNO, the Applicant) Department of Public Works Field Office complex was damaged by storm flooding and wind. These facilities were deemed eligible for repair and/or replacement by the Federal Emergency Management Agency (FEMA) Public Assistance Grant Program. The objective of this program is to provide assistance to State, Tribal and local governments, and certain types of private nonprofit organizations, so that communities can quickly respond to, recover from, and mitigate major disasters and emergencies.

The Applicant has requested, through the State of Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP), that FEMA provide disaster assistance consisting of federal grant funds in accordance with the provisions of the Stafford Act. FEMA has determined that CNO is eligible for federal disaster public assistance and that CNO's Department of Public Works (DPW) Field Office complex is eligible for repair.

The CNO has determined that repair of the damaged facility to its pre-Katrina condition would not be in the best interest of the community. Consequently, in accordance with 44 Code of Federal Regulations (C.F.R.) § 206.203(d), CNO has requested an Improved Project. An Improved Project is any project where the applicant chooses to make additional improvements to an existing facility in the course of making disaster repairs. An Improved Project restores the facility and maintains its function, either at the current site or in another existing or new facility. For the current request, CNO proposes to demolish eight (8) of the nine (9) existing structures and consolidate their functions into a single, multi-purpose building at the same location, 838 S. Genois Street, New Orleans, Louisiana 70119, Orleans Parish.

FEMA is preparing a National Environmental Policy Act (NEPA) Environmental Assessment (EA), incorporated by reference herein, to analyze potential environmental impacts of the proposed project, including those affecting facilities in the base floodplain and protection of wetlands. FEMA will use the findings in the EA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI), and to

support the floodplain and wetland “eight-step” planning and public participation requirements in 44 C.F.R. Part 9.

44 C.F.R. 9.6 details an eight-step process that decision-makers must use when considering projects that have potential impacts to or within the floodplain. The eight-step process assesses the action with regard to human susceptibility to flood harm and impacts to wetlands. The eight-step analyzes principle flood problems, risks from flooding, history of flood loss, and existing flood protection measures. The process includes public notice and opportunity for the public to have early and meaningful participation in decision-making and alternative selection. In conjunction with the EA development, the eight-step process formulates and describes considered alternatives; determines their practicability; and includes requirements to incorporate measures to minimize and mitigate potential risks from flooding and impacts to wetlands.

Regulatory Setting

Executive Order (E.O.) 11988, Floodplain Management, requires federal agencies to avoid direct or indirect support or development within or affecting the 1% annual chance Special Flood Hazard Area (SFHA) (i.e., the 100-year floodplain) whenever there is a practicable alternative (U.S. President 1977a) (for “Critical Actions,” within the 0.2% annual chance floodplain, i.e., the 500-year floodplain). FEMA’s regulations for complying with E.O. 11988 are found at 44 C.F.R. § 9, Floodplain Management and Protection of Wetlands (1980).

Existing Conditions

In July 2005, prior to Hurricane Katrina, FEMA initiated a series of flood insurance studies for many of Louisiana’s coastal parishes as part of the Flood Map Modernization Effort through FEMA’s National Flood Insurance Fund. These studies were necessary because the flood hazard and risk information shown on the effective Flood Insurance Rate Maps (FIRMs) were developed during the 1970s. Since that time, the physical terrain had changed considerably, including the significant loss of wetland areas. After Hurricanes Katrina and Rita, FEMA expanded the scope of work to include all of coastal Louisiana. The magnitude of impacts caused by the two (2) hurricanes reinforced the urgency to obtain additional flood recovery data for the coastal zones of Louisiana. More detailed analysis was possible because new data obtained after the hurricanes included information on levees and levee systems, new high-water marks, and new hurricane parameters.

During an initial post-hurricane analysis, FEMA determined that the 100-year or 1% annual chance storm flood elevations on FIRMs for many Louisiana communities, referred to as Base Flood Elevations (BFEs), were too low. FEMA created recovery maps showing the extent and magnitude of the surges from Hurricanes Katrina and Rita, as well as information on other storms over the past 25 years. The 2006 advisory flood data shown on the recovery maps for the Louisiana-declared disaster areas indicated high-water marks surveyed after the storm, flood limits developed from these surveyed points, and Advisory Base Flood Elevations, or ABFEs. These recovery maps and other advisory data were developed to assist parish officials, homeowners, business owners, and other affected citizens with their recovery and rebuilding efforts. Orleans Parish ABFE Maps (DHS 2006) are currently used by the Orleans Parish NFIP community for floodplain management purposes.

Updated preliminary flood hazard maps from an intensive five-year mapping project guided by FEMA were provided to all Louisiana coastal parishes. These maps, released in early 2008, known as Preliminary Digital Flood Insurance Rate Maps (DFIRMs), were based on the most technically advanced flood insurance studies ever performed for Louisiana, followed by multiple levels of review. The DFIRMs provided communities with a more scientific approach to economic development, hazard mitigation planning, emergency response, and post-flood recovery.

The USACE is currently working on the new Hurricane and Storm Damage Risk Reduction System (HSDRRS) for the Greater New Orleans area. This 350-mile system of levees, floodwalls, surge barriers, and pump stations will reduce the flood risk associated with future storm events. In September 2011, the USACE provided FEMA with assurances that the HSDRRS is capable of defending against a storm surge with a 1% annual chance of occurrence (DHS 2011). The areas protected include portions of St. Bernard, St. Charles, Jefferson, Orleans, and Plaquemines Parishes. Although the 100-year perimeter system is now complete, additional contracts for armoring and environmental mitigation are either ongoing or have not yet been awarded (DoA 2014). In November 2012, FEMA revised the 2008 preliminary DFIRMs within the HSDRRS to incorporate the reduced flood risk associated with the system improvements. The preliminary DFIRMs were subsequently revised in 2013 and 2014.

The 2014 Revised Preliminary DFIRMs are currently viewed as the best available flood risk data for the Orleans Parish. In many areas, the flood risk has been significantly reduced due to heightened protection. No project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through its participation in the National Flood Insurance Program (DHS 2011).

Orleans Parish enrolled in the NFIP on August 3, 1970. This project is within a levee-protected area of the 100-year floodplain. The effective FIRM Panel 2252030160E dated 1 March 1984, indicates the site is located within Flood Zone A4, Elevation (EL) 0, in an area of flooding from ponding (Figure X). Orleans Parish Advisory Base Flood Elevation Maps (ABFEs) were issued June 5, 2006 (FEMA, 2006). This site is shown on ABFE Panel LA-CC30 partially in Flood Zone ABFE EL 0, or 3 feet (ft) above the Highest Existing Adjacent Grade (HEAG), whichever is higher, and in Flood Zone ABFE 3 ft above HEAG. Per revised Preliminary Digital Flood Insurance Rate Map Panel Numbers 22071C0228F dated 1 December 2014, portions of the site are located within Flood Zone Shaded "X", areas levee protected from the base flood, and in Flood Zone Shaded "X", an area of the 0.2% annual chance flood (i.e., the 500-year floodplain, based upon ponding only and not coastal surge). Ground elevations at the site are approximately 0-1 foot above the North American Vertical Datum of 1988. In compliance with E.O. 11988, an 8-step process was completed and is included below.

STEP 1 Determine whether the proposed actions are located in a wetland and/or the 100-year floodplain (500-year floodplain for critical actions [44 C.F.R. § 9.4]), or whether they have the potential to affect or be affected by a floodplain or a wetland (see 44 C.F.R. § 9.7).

The project is located in a floodplain as mapped by:

ABFE Map CC-30 (dated 5 June 2007)

Flood Zone ABFE EL 0 or 3 ft HEAG and Flood Zone ABFE 3 ft HEAG

Revised Preliminary DFIRM Panel: 22071C0228F (dated 1 December 2014) places the project location in a Shaded "X" Flood Zone (Levee Protected from the Base Flood and partially in an area of the 0.2% annual chance flood from ponding).

The project is located in a wetland as identified by:

A review of the U.S. Fish and Wildlife National Wetland Inventory indicates the proposed project location is not located in a mapped wetland or U.S. waters.

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 C.F.R. § 9.8).

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Notice will be or has been provided by:

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* on 7-9 November 2005.

FEMA invited the public to comment on the proposed action during a fifteen (15) day comment period. A public notice was published for three (3) days in the local newspaper, *The Times-Picayune*, a Parish publication, announcing the availability of this draft EA for review at the Orleans Parish Main Library at 219 Loyola Avenue, New Orleans, LA 70112, inviting comments to be submitted, and providing instructions for submission. The draft EA also was made available on the FEMA website, at <http://www.fema.gov/media-library/search/DPW>.

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 C.F.R. § 9.9]. If a practicable alternative exists

outside the floodplain or wetland, FEMA must locate the action at the alternative site.

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - Alternatives identified in the EA document or as described below:

- **Alternative 1: No Action** – Under the “No Action” alternative, there would be no additional repairs or consolidation of DPW functions. Consequently, the facility would continue to operate under current conditions. “No Action” would forego the opportunity to create a more modern, efficient, and cost-effective consolidated facility. The auto impound lot would remain inadequate to accommodate the current volume of towed vehicles, while the local citizens would lose their opportunity for a new recreational space. In addition, the existing Sign and Signal Shop would be an impediment to improvements associated with the Lafitte Greenway.
- **Alternative 2: Repair of the Existing Buildings with Upgrades to Current Codes and Standards** – This alternative would repair the buildings currently in use to pre-disaster condition, with upgrades to current codes and standards. Although this alternative would allow CNO to continue current operations at present capacity, the opportunity to streamline DPW activities and increase efficiency would be forfeited. In the case of the auto impound lot at 400 N. Claiborne Avenue, due to ever increasing space limitations, vehicles left unclaimed for too long a period are removed to another, more remote, location at 10200 Almonaster Boulevard. This secondary site is approximately eight (8) miles to the east-northeast of the main impound lot, making recovery of an impounded vehicle more difficult. If the existing Sign and Signal Shop is not relocated, the Lafitte Greenway project will be adversely impacted. Finally, if existing buildings on the DPW project site are repaired and not removed, an opportunity to improve environmental safety by remediating this contaminated site will be lost.
- **Alternative 3: Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action)** – The Applicant proposes to use eligible funding to consolidate the functions of several DPW locations at one new, multi-purpose facility. This approximate 5-acre parcel is currently the site of the DPW Field Offices at Genois, but since the late 1800s, has been the location of several previous heavy industries. Alternative 3 would demolish all but one of the existing structures on the property, perform remediation of past site contamination as directed by the Louisiana Department of Environmental Quality (LDEQ), and then construct a new consolidated and fenced facility. The new complex would consist of three primary areas: (a) a new impound lot with a security booth, a 4,050 square-foot (sf) office buildings, and 202 fenced parking spaces, (b) a sign and signal shop utilizing and repurposing the existing EMD garage building, two

additional modular buildings (1,296 sf and 1,989 sf), and 12 on-site parking spaces, and (c) a maintenance area with a 4,500 sf office/shop/supply building; storage areas for asphalt, sand, and ground limestone; a truck wash; and open and covered parking for employees, servicing of vehicles, and overnight equipment storage. The entire facility would contain 362 regular parking spaces, both inside and outside of the fenced area, as well as 44 nighttime parking spaces for storm sewer vacuum trucks and other day-use vehicles.

This project, as proposed, would serve not only to replace the pre-storm DPW functions, but also permit the consolidation of other functions currently located elsewhere in the city. The new facility would allow for relocation of CNO's auto impound lot, transfer of the offices of the parking meter readers, staging of vacuum trucks, and relocation of the existing Traffic Sign and Signal Shop. Consolidation of these activities at one, centrally-located site would not only increase efficiency of operations, but is desirable due to other CNO plans for the relocated sites. Once remediation of the property has been completed, the entire parcel, with the exception of the existing EMD garage building, would be capped with several feet of fill material prior to any new construction. Discussions of the demise of the existing auto impound lot and sign/signal shop is beyond the scope of this EA, partially due to the lack of a clear project scope of work for the re-development sites.

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 C.F.R. § 9.10).**

Not applicable - Project is not located in a floodplain or in a wetland.

Applicable - Alternatives are described below:

- **Alternative 1: No Action** – The “No Action” alternative would not entail any repair or reconstruction of the DPW Field Office complex. This course would have no further adverse impacts to the floodplain.
- **Alternative 2: Repair of the Existing Buildings with Upgrades to Current Codes and Standards** – Alternative 2 was reviewed for possible impacts associated with occupancy or modification to a floodplain. Due to the previously developed character of the site, impacts to the nature of the floodplain itself have been determined to be negligible. Repair of the existing buildings would not affect the functions and values of the 100-year floodplain since these facilities would not impede or redirect flood flows.

Per 44 C.F.R. § 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the NFIP. The Applicant would be required to coordinate with the local floodplain

administrator regarding floodplain permit(s) prior to the start of any activities. Per 44 C.F.R. § 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.

- **Alternative 3: Repair in Same Footprint to Different Configuration** – Alternative 3 was reviewed for possible impacts associated with occupancy or modification to a floodplain. Due to the previously developed character of the proposed site, impacts to the nature of the floodplain itself have been determined to be negligible. The proposed consolidated DPW multi-purpose facility would not likely affect the functions and values of the 100-year floodplain since the facility would not impede or redirect flood flows.

Per 44 C.F.R. 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the NFIP. The Applicant would be required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. Per 44 C.F.R. § 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 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 C.F.R. § 9.11).

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - Reconstruction/Reconfiguration shall be completed in accordance with all local floodplain ordinances with applicable codes and standards applied to mitigate and minimize adverse effects (compliance with minimum National Flood Insurance Program standards and requirements). In order to minimize indirect impacts (erosion, sedimentation, dust, and other construction-related disturbances) to the nearby waters of the United States and well-defined drainage areas surrounding the site, the contractor should implement Best Management Practices (BMPs) that meet the Louisiana Department of Environmental Quality's (LDEQ's) permitting specifications for storm water discharge regulated under §§ 401 and 402 of the CWA, and include the following into the daily operations of the construction activities: silt screens, barriers (e.g., hay bales), berms/dikes, and/or fences to be placed where and as needed.

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 C.F.R. § 9.9).**

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - The proposed action is the chosen practicable alternative based upon a review of possible adverse effects on the floodplain and community and socioeconomic expectations.

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 C.F.R. § 9.12).**

- Not applicable - Project is not located in a floodplain or in a wetland.
- Applicable - Finding is or will be prepared as described below:

A public notice will be published as part of the NEPA Environmental Assessment for the proposed action.

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 - Review the implementation and post-implementation phase of the proposed action to ensure that the requirement stated in 9.11 are fully implemented.
- Applicable - Oversight responsibility established as follows:

Appendix D

Memorandum of Agreement for Cultural Resources

**MEMORANDUM OF AGREEMENT
AMONG THE FEDERAL EMERGENCY MANAGEMENT AGENCY
THE LOUISIANA STATE HISTORIC PRESERVATION OFFICER
AND THE CITY OF NEW ORLEANS
REGARDING THE DEMOLITION OF THE
DEPARTMENT OF PUBLIC WORKS COMPLEX, 838 S. GENOIS STREET
NEW ORLEANS, LA**

WHEREAS, the Federal Emergency Management Agency (“FEMA”) of the Department of Homeland Security, pursuant to Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §5121-5206) and implementing regulations in Title 44 of the Code of Federal Regulations (44 CFR Part 206), proposes to provide Public Assistance to the City of New Orleans (the “City”) through the Governor’s Office of Homeland Security and Emergency Preparedness (“GOHSEP”) in response to damages caused by Hurricane Katrina (DR-1603-LA) to demolish and replace ten (10) buildings and structures including the Administration Building, Yard Shop Building, Concrete Storage Building, Asphalt Storage Building, Security Office #1, Security Office #2, Boiler Building, a fenced Propane Storage area, and two sand storage structures and remove a temporary trailer at the Department of Public Works Complex (“DPW Complex”) located at 838 South Genois Street, New Orleans, Louisiana (the “Undertaking”); and

WHEREAS, the Warehouse Building at the DPW Complex was heavily damaged by Hurricane Isaac (FEMA DR-4080-LA) in August 2012; and FEMA consulted with the Louisiana State Historic Preservation Officer (“SHPO”) to complete a National Historic Preservation Act, 16 U.S.C. §470f, (“NHPA”) Section 106 review for the City’s request to demolish the Warehouse Building, and SHPO concurred with a “No Historic Properties Affected” determination on December 12, 2012; and the demolition of the Warehouse Building is not a part of this Undertaking; and

WHEREAS, FEMA consulted with SHPO in accordance with Section 106 of NHPA, its implementing regulations, 36 CFR Part 800, and the “Programmatic Agreement among FEMA, the Louisiana State Historic Preservation Officer, the Louisiana Governor’s Office of Homeland Security and Emergency Preparedness, the Alabama-Coushatta Tribe of Texas, the Caddo Nation, the Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, the Tunica-Biloxi Tribe of Louisiana, and the Advisory Council on Historic Preservation” that was executed August 17, 2009 and amended on July 22, 2011 (“2009 Statewide PA as amended”); and

WHEREAS, FEMA determined to utilize the NHPA Section 106 review process as an additional opportunity for FEMA to accept and consider public comments on National Environmental Policy Act (“NEPA”) related issues and supplement the public outreach efforts required by Executive Order 11988 and NEPA; and

WHEREAS, FEMA, in consultation with SHPO, has identified the Areas of Potential Effects (“APE”); and the standing structures APE includes the DPW Complex and the surrounding view-shed; and the archaeological APE is the DPW Complex to include all areas where ground-disturbing activities, such as demolition, staging, and site prep, will occur, measuring 5.25 acres (2.12 hectares); and both APEs are depicted in Figure 1, attached hereto and incorporated by reference herein; and

WHEREAS, FEMA, in consultation with SHPO, determined that three (3) buildings and structures proposed for demolition within the DPW Complex: (1) the Administration Building, (2) the Yard Shop Building, and (3) the Boiler Building, are contributing structures to the Mid-City National Register Historic District (“Mid-City”); the standing structures APE also includes eight (8) properties on Gravier and South Genois Streets within the view shed of the DPW Field Offices Complex that FEMA determined contribute to Mid-City; and

WHEREAS, FEMA, in consultation with SHPO, determined that the Concrete Storage Building, Asphalt Storage Building, Security Office #1, Security Office #2, a fenced Propane Storage area, two sand storage structures, post-Katrina Temporary Trailer, and the EMD Maintenance Building are within the standing structure APE but are not eligible for inclusion in the National Register of Historic Places (“NRHP”); and

WHEREAS, FEMA, in consultation with SHPO, determined that the archaeological resource potential of the area is limited to historic resources, specifically industrial resources, and that it is unknown if archaeological deposits are present within the APE; and in addition, FEMA determined that further site monitoring and archeological testing will not be undertaken because of the level of contamination in the APE and that FEMA will develop a historic narrative to include an overview of nineteenth and early twentieth-century garbage disposal practices in New Orleans with particular attention paid to the First and Second Sanitary Districts as described in Stipulation IV.A.3, herein; in addition, FEMA will address any archaeological resources that are identified during the implementation of the Undertaking through Stipulation V, Inadvertent Discoveries and Unexpected Effects, of this Memorandum of Agreement (“MOA”); and

WHEREAS, FEMA notified SHPO in a letter dated February 15, 2013 that the proposed demolition of the Administration Building, Yard Shop Building, and Boiler Building will adversely affect historic properties and included supporting documentation regarding the APE and FEMA’s identification and evaluation of historic properties within the APE, and SHPO concurred in a letter dated March 1, 2013; and

WHEREAS, in accordance with Stipulation IX.A of the 2009 Statewide PA as amended and 36 CFR §800.6(a)(1), FEMA notified the Advisory Council on Historic Preservation (“ACHP”) of its adverse effect determination in a letter dated April 1, 2013, and the ACHP responded to FEMA, in a letter dated April 11, 2013, that it will not participate in the consultation to develop a MOA to avoid, minimize, and mitigate the adverse effects of this Undertaking; and

WHEREAS, FEMA and SHPO are the Signatories to the MOA as defined in 36 CFR §800.6(c)(1); and

WHEREAS, FEMA consulted with the City, the Subgrantee, and in recognition that the City may assume responsibilities to perform various actions described by this MOA, FEMA has invited the City to participate in this consultation and execute this MOA as an Invited Signatory as defined in 36 CFR §800.6(c)(2); and

WHEREAS, FEMA notified the 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, and Tunica Biloxi Tribe of Louisiana (collectively, the “Tribes”) and provided information regarding identified historic properties in the APE, information regarding the history and topography of the APE, and afforded the Tribes an opportunity to participate in the consultation; and

WHEREAS, none of the Tribes has expressed an interest in the Undertaking and therefore FEMA has fulfilled its NHPA Section 106 responsibilities to consult with the Tribes. In the future, FEMA will not consult with or provide reports, or other written materials to the Tribes regarding this Undertaking unless properties that may have traditional religious and cultural importance to the Tribes are identified through the inadvertent discoveries and unexpected effects provisions set out in Stipulation V of this MOA; and

WHEREAS, FEMA provided information to the Mid-City Neighborhood Association, the National Trust for Historic Preservation (“NTHP”), the Preservation Resource Center of New Orleans (“PRC”), the Louisiana Landmarks Society, the City of New Orleans Historic District Landmarks Commission, the Foundation for Historical Louisiana (“FHL”), and Goodwill Industries International, Inc. about the Undertaking and notified these organizations regarding the opportunity to participate in this consultation; and

WHEREAS, FHL, PRC, and NTHP have requested Consulting Party status, participated in the consultation, and are invited by FEMA to participate in this consultation and sign this MOA as Concurring Parties as defined in 36 CFR §800.6(c)(3); and

WHEREAS, GOHSEP did not participate in the consultation and will not be invited by FEMA to sign the MOA as a Concurring Party; however GOHSEP is responsible under Stipulation IV.C of the 2009 Statewide PA as amended to include requirements of this MOA in the Memorandum of Understanding between GOHSEP and the City and specifically require the City to comply with this MOA; and

WHEREAS, FEMA provided information to the public regarding the Undertaking on the Louisiana Department of Culture, Recreation and Tourism (“CRT”) website and invited the public to post electronic comments to the CRT website; send comments to FEMA-NOMA@dhs.gov; or mail comments to FEMA; and

WHEREAS, FEMA received comments expressing interest in the redevelopment plans and objecting to the demolition of the Administration Building and these comments were reviewed and considered as a part of the consultation to develop this MOA;

NOW THEREFORE, FEMA, SHPO, and the City agree that the Undertaking will be implemented in accordance with the following stipulations (the “Stipulations”) to take into account the effects of the Undertaking on historic properties and to satisfy FEMA’s Section 106 responsibilities for the Undertaking.

STIPULATIONS

To the extent of its legal authority and in coordination with the SHPO, the City, PRC, NTHP, and FHL, FEMA will require that the following measures are implemented:

I. GENERAL

A. Responsibilities and Roles of Signatories, Invited Signatory, and Concurring Parties (collectively, the “Consulting Parties” or the “Parties”).

1. A Consulting Party will be recognized by FEMA as a Signatory, Invited Signatory, or a Concurring Party starting on the date the Consulting Party signs this MOA as a Signatory, Invited Signatory, or Concurring Party and provides FEMA with a record of this signature.
2. FEMA will provide each Signatory, Invited Signatory, and Concurring Party with the opportunity to review and comment on various documents and reports under the terms of this MOA. Determinations or reviews that have been completed by FEMA under the terms of this MOA prior to the signature of a Concurring Party will not be reconsidered because the Concurring Party did not have the opportunity to review and comment.
3. The failure of any Signatory, Invited Signatory, or Concurring Party to comment during the time frames set out in this MOA will be treated by FEMA as concurrence, and FEMA may proceed to the next step without taking additional steps to seek comments from that party.
4. It is the responsibility of each Signatory, Invited Signatory, or Concurring Party to inform FEMA immediately of any changes in the name, address, e-mail address or phone number of the point-of-contact. FEMA will forward this information to the Signatories, Invited Signatory, and Concurring Parties by e-mail. The failure by any party to this MOA to notify FEMA of changes to their point-of-contact’s information will not be grounds for asserting that notice of a proposed action was not received. All notices required pursuant to this MOA may be delivered electronically to:
 - i. If FEMA: Gail Lazaras at Gail.Lazaras@fema.dhs.gov and Jerame Cramer Jerame.Cramer@fema.dhs.gov;
 - ii. If the City: Vincent Smith at viasmith@nola.gov and Robert Vallejo at rvallejo@nola.gov at City Hall, 1300 Perdido Street, Suite 6E15, New Orleans, LA 70112;

- iii. If SHPO: Nicole Hobson-Morris at nhmorris@crt.state.la.us at Office of Historic Preservation/Capitol Annex Building, 1051 North Third Street, Baton Rouge, LA 70802;
- iv. If FHL: Carolyn Bennett at carolynbennett@fhl.org at 502 North Boulevard, Baton Rouge, LA 70802 and Sandra Stokes at slstokes@earthlink.net at 600 Julia Street, New Orleans, LA 70130;
- v. If PRC: Michelle Kimball at mkimball@prcno.org at 923 Tchoupitoulas Street, New Orleans, LA 70130;
- vi. If NTHP: Elizabeth Merritt at emerritt@savingplaces.org at 1785 Massachusetts Avenue, NW, Washington, DC 20036.

B. Delivery Methods for Communications included in MOA

1. The Signatories, Invited Signatory, and Concurring Parties may send and accept official notices, comments, requests for further information and documentation, and other communications required by this MOA by e-mail.
2. If the size of an e-mail message is unusually large or an e-mail is returned to a sender because its size prevents delivery, the sender will contact the recipient(s) and determine alternative methods to deliver the information.
3. Time-sensitive information that is not sent by e-mail should be sent by overnight mail, courier, or be hand-delivered and the time frame for its review will be measured by the date the delivery is signed for by the individual recipient or the agency or organization representing the Signatory, Invited Signatory, or Concurring Party.

C. Time Frames

1. All references to time periods in this MOA are in calendar days. If a review period included in this MOA ends on a Saturday, Sunday, or federal, state, or local holiday, the review period will be extended until the next business day. Any electronic communication forwarding plans or other documents for review under the terms of this MOA that is sent after 4:00 pm Central Time will be deemed to have been received by the reviewing party on the next business day.
2. E-mail comments by any Signatory, Invited Signatory or Concurring Party on any plans or documents submitted for review under this MOA are timely if they are received at any time on the last day of a review period. Responses sent by mail will be accepted as timely if they are postmarked by the last day allowed for the review.

II. DESIGN REVIEW PROCESS

- A. The City will provide a copy of this MOA to the selected Architect/Engineer (“A/E”) for the design of the new DPW Complex so that the A/E will be aware of the design review included in this MOA and FEMA’s Section 106 responsibility to take steps to minimize or avoid any adverse effects to Mid-City that may result from the construction of the new DPW Complex.
- B. In order to minimize any potential effects of the new construction to Mid-City, CNO will request that the A/E’s design apply the guidance set out in the Secretary of Interior’s *Standards for Rehabilitation*, <http://www.nps.gov/tps/standards/rehabilitation.htm>, (“Standards”), and the National Park Service Preservation Brief #14: <http://www.nps.gov/tps/how-to-preserve/briefs/14-exterior-additions.htm>, (“Preservation Brief #14”). The City agrees that the design will take into account the location, the massing, size, scale, and architectural features of the new construction: <http://www.nps.gov/tps/standards/applying-rehabilitation/successful-rehab/new-construction.htm>.
- C. The City will provide electronic copies of the conceptual designs developed by the A/E (the “Conceptual Designs”) to FEMA and GOSHEP.
- D. FEMA will forward the electronic copies of the Conceptual Designs to SHPO and the Concurring Parties for a fifteen (15) day review and comment period. SHPO and the Concurring Parties will review the Conceptual Designs to determine if they will cause additional adverse effects to Mid-City and if they are responsive to the *Standards* and Preservation Brief #14.
- E. FEMA will review any comments submitted by SHPO and/or Concurring Parties within the fifteen (15) day review period and notify GOHSEP and CNO within seven (7) days following the review period if the proposed design conforms to the guidance in the *Standards* and Preservation Brief #14.
- F. If FEMA determines that the Conceptual Design does not conform to the guidance in the *Standards* and Preservation Brief #14 or will cause additional adverse effects to Mid-City, FEMA will notify SHPO, the City, GOHSEP, and the Concurring Parties by e-mail and clearly describe the issues that must be addressed to avoid the additional adverse effects. FEMA’s notice will include any comments submitted by FEMA, SHPO, and/or Concurring Parties regarding the additional adverse effects and any recommendations regarding alternatives that may avoid or minimize the additional adverse effects. FEMA, SHPO, the City, and the Concurring Parties will consult to identify feasible measures to avoid, minimize, or mitigate the additional adverse effects.
- G. If no comments are submitted by FEMA to GOHSEP and the City within twenty-five (25) days of FEMA’s receipt of the Conceptual Design, the design review required by this MOA will be complete.

- H. This review will complete the Design Review unless there are substantial changes to the Scope of Work, as defined in Stipulation III of this MOA.

III. CHANGES TO THE SCOPE OF WORK

- A. The City will notify GOHSEP and FEMA by e-mail as soon as practicable of any substantial change, such as the reorientation of the Administration Building; programmatic changes to the use of DPW Complex site; changes in massing or exterior materials; or an increase of the building height of twenty-five percent (25%) or greater above the height shown in the Conceptual Designs reviewed pursuant to Stipulation II (the “Scope of Work”).
- B. FEMA will notify SHPO and Concurring Parties by e-mail within five (5) days of receiving a notice of a substantial change(s) to the Scope of Work and include FEMA’s determination of the effect that the proposed change(s) will have on historic properties. If FEMA determines that the substantial change(s) will not affect or will not adversely affect historic properties, FEMA will provide SHPO and Concurring Parties with a ten (10) day review and comment period. If FEMA determines that the substantial change will result in adverse effects to historic properties, FEMA will request that SHPO, the City, and Concurring Parties consult with FEMA to determine if there are feasible alternatives that may avoid or minimize the adverse effect. FEMA will notify the City and GOHSEP of any feasible alternatives identified in the consultation that may avoid or minimize the adverse effect and request that the City determine if it can revise the plans to incorporate the alternatives. If the City is unwilling to revise the plans to incorporate alternatives identified during this consultation with the Signatories and Concurring Parties, FEMA will consult under Stipulation VII, Dispute Resolution, of this MOA to resolve any remaining issues.

IV. TREATMENT MEASURES

A. Recordation:

- 1. Photography: FEMA will digitally photograph the interior and exterior of the Administration Building, Yard Shop Building, and Boiler Building. This photographic recordation will be performed by or under the direct supervision of an individual who meets the Secretary of the Interior’s Professional Qualification Standards set out at 48 FR 44716, September 29, 1983, for History, Architectural History, Architecture, or Historic Architecture. FEMA will take photographs of the following views using plan north as shown in Figure 1 to define the views described below. **Using photographic printing methods outlined in Stipulation IV.A.2, herein, FEMA will reproduce specific images, as indicated by the word “Print” following each view.**
 - a. Administration Building
 - i. Views of each of four (4) exterior elevations (Print of South Genois Street façade)

- ii. Oblique view of four (4) exterior corners (Prints of southeast corner, camera facing northwest and northwest corner, camera facing southeast)
 - iii. Two (2) interior views of loading bay
 - iv. Three (3) views of ground floor shop interior: two (2) views from opposite corners, and one (1) detail of window with wall
 - v. One (1) view of main stair well; and
 - vi. Four (4) views of two (2) upstairs offices: two (2) photos of each office, taken from opposite corners.
 - b. Yard Shop Building
 - i. Views of each of four (4) elevations (Print of main/east façade)
 - ii. Oblique of each of four (4) corners (Print of southeast and southwest corners)
 - iii. Two (2) views of building interior, taken from opposite corners; and
 - iv. Detail view of window/wall interior.
 - c. Boiler Building
 - i. Views of each of four (4) elevations (Print of main/east façade)
 - ii. Oblique of each of four (4) corners (Print of southeast and southwest corners)
 - iii. Two (2) views of building interior, taken from opposite corners; and
 - iv. Detail view of window/wall interior.
 - d. Warehouse (now demolished)
 - i. View of east and west elevations
 - ii. Oblique of northwest, southeast, and southwest elevations; and
 - iii. Detail of west elevation, exterior window/wall.
2. Specifications: The digital photography and color photographs must comply with the “Best” category of requirements from the National Register Photo Policy Fact Sheet: http://www.nps.gov/history/nr/publications/guidance/Photo_Policy_final.doc, with the following additional requirements:
- a. Image files must be saved as both TIFF and JPEG files.
 - b. Color images must be produced in RGB (Red/Green/Blue) color mode as 24-bit or 48-bit color files.
 - c. In addition to the requirements specified by the latest National Register Photo Policy, photographs will be digitally labeled to state the address (name of facility, street number, street name, city, and state); date of photograph; description of view, as specified in Stipulation IV.A above, including direction of camera; and name of photographer/agency.
 - d. The photographic images will be eight inches by ten inches (8 in. x 10 in.) and will be printed on manufacturer recommended archival quality eight inches by ten

inches (8 in. x 10 in.) or eight and one-half inches by eleven inches (8.5 in. x 11 in.) paper using manufacturer recommended ink for photographic printing.

3. Historic Narrative: FEMA will also prepare a short narrative history of the DPW Complex. The first draft will be completed within six (6) months of execution of this MOA. This history will include the types of information required in Historic American Building Survey (HABS) Historical Reports: Outline form. The narrative history will also include an overview of nineteenth-and early-twentieth-century garbage disposal practices in New Orleans with particular attention paid to the First and Second Sanitary Districts. The overview will identify dump site locations and nuisance wharfs and describe the Department of Public Works' ("DPW) method for collecting and disposing of refuse in the city during this timeframe. Sources for the narrative history will utilize previous studies and/or documentation including, but not limited to, archaeological reports and site records, DPW documents, and New Orleans newspapers.
4. Professional Qualifications: The recordation materials will be prepared by or under the direct supervision of an individual who, as determined by FEMA, meets the Secretary of the Interior's Professional Qualification Standards set out at 48 FR 44716, September 29, 1983, for History, Architectural History, Historic Architecture and/or Archaeology, as appropriate.
5. Draft Review: FEMA will provide SHPO and the City with the draft digital photographs and narrative history for a fifteen (15) day comment period.
6. Distribution: FEMA will prepare two (2) archival copies of the recordation materials and shall forward one (1) copy to SHPO and one (1) copy to the Earl K. Long Library, University of New Orleans, Louisiana Special Collections.

B. Interpretive Display

1. FEMA will be responsible for the production of an interpretive display and will consult with the City and SHPO to select three (3) to five (5) photographs or maps illustrating the history of the DPW Complex and prepare a short description to accompany each photograph or map. The material included in the interpretive display will be based on the information in the short narrative history described in Stipulation IV.A.3 above. FEMA, SHPO, and the City will discuss materials, size, and presentation of the interpretive display. FEMA will provide SHPO with a five (5) day opportunity to review and comment on the interpretive display.
2. FEMA will deliver the interpretive display to the City on or before December 31, 2015 for installation in the lobby of the new Administrative Building or other suitable location identified by FEMA through consultation with the City and SHPO.
3. The City is responsible for installing the interpretive display, and the City will be required by the MOU between the City and GOHSEP to complete this Stipulation.

Following FEMA's delivery of the display to the City, FEMA may terminate this MOA provided that FEMA has completed all other requirements of this MOA.

V. INADVERTENT DISCOVERIES AND UNEXPECTED EFFECTS

- A. If, in the course of the Undertaking, archaeological deposits, as defined in 36 CFR §60.4(d), are discovered or unexpected effects to historic properties, including architecture, architectural elements, and/or archaeology, are identified, the City will ensure that its contractor immediately stops work in the general vicinity of the inadvertent discovery or unexpected effect and takes all reasonable measures to avoid or minimize harm to the finds or affected property. The City will ensure that the discovery or unexpected effects are secured and stabilized, as necessary, and access to the area is restricted.
- B. The City will notify FEMA and GOHSEP of inadvertent discoveries or unexpected effects as soon as practicable, but no later than three (3) days following the discovery or unexpected effect. FEMA will notify and consult with the SHPO and others, including Tribes as appropriate, to determine if further steps to evaluate the NRHP eligibility and treatment of the discovery are necessary. FEMA may, in consultation with the SHPO, assume that a newly discovered property is eligible for the NRHP for purposes of this MOA.
- C. If FEMA and SHPO and others, as appropriate, conclude that the discovery does not contain human remains, is not eligible for the NRHP, and will not adversely affect a historic property, FEMA will notify the City that work may resume in the area of the discovery or unexpected effect.
- D. If FEMA and SHPO and others, as appropriate, determine that further steps are necessary to evaluate or treat the unexpected effect or the newly discovered property and it does not contain human remains, FEMA will work with SHPO, the City, GOHSEP, and others, as appropriate, to agree on timeframes to determine ways to avoid, minimize, or mitigate any adverse effects to the inadvertent discovery or the unexpected effect to a historic property. Any party to this consultation may request an on-site meeting to review the situation. FEMA will confirm the initial agreements of the parties regarding the timeframes for this consultation and any other agreements regarding the treatment of the inadvertent discovery or unexpected effect in an e-mail sent to GOHSEP, the City, SHPO, and any other Concurring Party.
- E. If human skeletal remains are uncovered during the Undertaking, the City will immediately notify GOHSEP, FEMA, and the local law enforcement officials. The local law enforcement officials will assess the nature and age of the human skeletal remains. The City will ensure that the notice of the discovery required by Louisiana Unmarked Human Burial Sites Preservation Act (La. R.S. 8:671, *et seq.*) is given to the Secretary of CRT or the Secretary's designee by contacting the Louisiana Division of Archeology at (225) 342-8170 within seventy-two (72) hours of the discovery. If the coroner determines that the human skeletal remains are older than fifty (50) years of age, the

Secretary of CRT has jurisdiction over the remains. FEMA will work with SHPO, Tribes, the Louisiana Division of Archaeology, the City, and GOHSEP to ensure compliance with this state law, other applicable laws, and this MOA. In addition, FEMA will require that the guidelines contained in the ACHP's 2007 "Policy Statement Regarding Burial Sites, Human Remains, and Funerary Objects" or any subsequent policy statements that are issued after the execution of this MOA are followed.

- F. At the conclusion of any consultation regarding discoveries or unexpected effects, FEMA will provide all parties that participated in the consultation with a written summary of the consultation and its resolution. This summary may be provided by e-mail.
- G. FEMA will notify the City and GOHSEP by e-mail when the consultation to resolve effects caused by a discovery or unexpected effects is concluded and work may be resumed in the area of the discovery or unexpected effect.

VI. ANTICIPATORY DEMOLITION/ INTENTIONAL DESTRUCTION OF HISTORIC PROPERTIES

FEMA will not grant assistance to the City should the City, with intent to avoid the requirements of this MOA or Section 106 of the NHPA, significantly adversely affect a historic property to which the assistance would relate, or having legal power to prevent it, allow such significant adverse effect to occur. After consultation with SHPO and ACHP, FEMA may determine that circumstances justify granting such assistance despite an adverse effect created or permitted by the City, and FEMA will complete consultation pursuant to 36 CFR §800.9(c).

VII. DISPUTE RESOLUTION

- A. Should any Signatory, Invited Signatory, or Concurring Party object in writing to FEMA within the timeframes provided by this MOA to any plans, specifications, or actions provided for review, FEMA shall notify the City and GOHSEP and consult further with the objecting party, the City, GOHSEP, and other parties, as appropriate, to seek resolution.
- B. FEMA will obtain a determination from the Secretary of Interior pursuant to 36 CFR part 63 if FEMA is not able to resolve SHPO or a Tribe's objection regarding NRHP eligibility of a new discovered property or a previously unevaluated property that is unexpectedly affected by the Undertaking following the consultation described in Stipulation V.
- C. If FEMA determines that a dispute regarding an issue or issues other than NRHP eligibility cannot be resolved, FEMA shall forward all relevant documentation and FEMA's proposed resolution of the dispute to the ACHP. Any ACHP recommendations or comments will be limited to the subject of the dispute. Within fifteen (15) days after receipt of this information, the ACHP will:

1. Advise FEMA that it concurs with FEMA's resolution of the dispute; or
 2. Provide FEMA with recommendations, which FEMA shall take into account in reaching a final decision regarding the dispute; or
 3. Notify FEMA that it shall comment pursuant to 36 CFR §800.7(c), and proceed to comment. Any comment provided shall be taken into account by FEMA in accordance with 36 CFR §800.7(c)(4) with reference to the subject of the dispute.
- D. If ACHP does not provide FEMA with comments or recommendations within fifteen (15) days, FEMA may assume that ACHP does not object to its recommended approach and it shall proceed accordingly.
- E. FEMA will notify the Signatories, Invited Signatory, and Concurring Parties of its resolution of the dispute and provide documentation of its consultation with ACHP within fifteen (15) days following the completion of ACHP's review.
- F. FEMA's responsibilities to fulfill all requirements of the MOA that are not subject of the dispute shall remain unchanged.

VIII. PUBLIC OBJECTIONS

If at any time during implementation of the measures stipulated in this MOA, an objection relevant to the implementation of Stipulations II through V of this MOA is raised by a member of the public, FEMA shall take the objection into account, notify the City, GOHSEP, SHPO, and Concurring Parties and consult as needed with the objecting party, the City, GOHSEP, and SHPO and Concurring Parties, prior to FEMA's resolution of the objection. The City is not required to cease work on activities unrelated to the objection while the objection is being reviewed and resolved. FEMA will notify ACHP of its resolution of a public objection.

IX. AMENDMENTS, TERMINATION, AND NONCOMPLIANCE

- A. If the City determines that it is not feasible to complete the Undertaking or fulfill the requirements of this MOA, the City will immediately notify FEMA and GOHSEP in writing of this determination. Within twenty-one (21) days of receiving this notice, FEMA will meet with the Signatories, Invited Signatory, and Concurring Parties, in person or by telephone, to determine if the MOA must be amended or terminated, and proceed accordingly.
- B. Any Signatory or Invited Signatory may request in writing that the MOA be amended or terminated. Within twenty-one (21) days of such a request, FEMA will convene a meeting of the Signatories, Invited Signatory, and Concurring Parties to consider this request. The Parties will make a good faith effort to amend the MOA prior any Party taking steps to terminate it. The MOA may be amended upon the written agreement of

the Signatories and Invited Signatory, and the process will comply with 36 CFR §800.6(c)(7).

- C. If the MOA is not amended, the Signatories or Invited Signatory may terminate the MOA by providing a thirty (30) day written notice to the other Signatories, Invited Signatory, and Concurring Parties. The Signatories, Invited Signatory, and Concurring Parties will cooperate in good faith to seek amendments or other actions that would prevent termination during this thirty (30) day time frame. Should consultation fail, FEMA will promptly notify the Signatories, Invited Signatory, and Concurring Parties in writing of termination. Termination of the MOA will require FEMA to comply with the 2009 Statewide PA, as amended. This MOA may be terminated without further consultation by execution of a subsequent agreement that explicitly terminates or supersedes this MOA.

X. DURATION

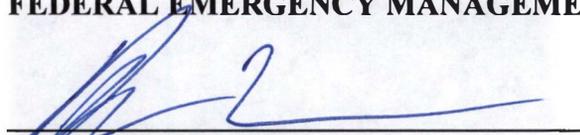
Unless amended or terminated in accordance with Stipulation X., this MOA will remain in effect through December 31, 2015 or until FEMA determines that it has been satisfactorily fulfilled. The City will notify GOHSEP and FEMA when the Undertaking is completed, and FEMA will notify the Signatories, Invited Signatories, and Concurring Parties by e-mail when it determines that the terms of this MOA have been fulfilled.

XI. EFFECTIVE DATE AND IMPLEMENTATION OF MOA

This MOA shall become effective immediately upon FEMA's filing an original copy signed by the Signatories and Invited Signatory with ACHP. FEMA shall provide each Signatory, Invited Signatory, and Concurring Party with a complete copy of the MOA including all executed signature pages.

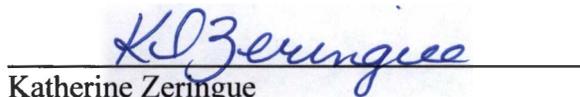
SIGNATORIES:

FEDERAL EMERGENCY MANAGEMENT AGENCY



Andre Cadogan
Deputy Director, Program
Louisiana Recovery Office

Date: 9/24/13



Katherine Zeringue
Environmental Liaison Officer
Louisiana Recovery Office

Date: 9-23-13

SIGNATORIES (continued)

LOUISIANA STATE HISTORIC PRESERVATION OFFICER



Date: 10-23-13

Pam Breaux
Pam Breaux
State Historic Preservation Officer

~~INVITED SIGNATORY:~~

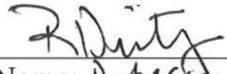
CITY OF NEW ORLEANS



Mitchell J. Landrieu
Mayor

Date: 12/4/13

FORM AND LEGALITY APPROVED:
LAW DEPARTMENT



Printed Name: Rebecca Dierks

CONCURRING PARTIES:

FOUNDATION FOR HISTORICAL LOUISIANA



Carolyn Bennett
Executive Director

Date: 11.7.2013

CONCURRING PARTIES (continued):

PRESERVATION RESOURCE CENTER OF NEW ORLEANS



Michelle Kimball
Senior Advocate

Date: 10.25.2013

CONCURRING PARTIES (continued):

NATIONAL TRUST FOR HISTORIC PRESERVATION

_____ Date: _____

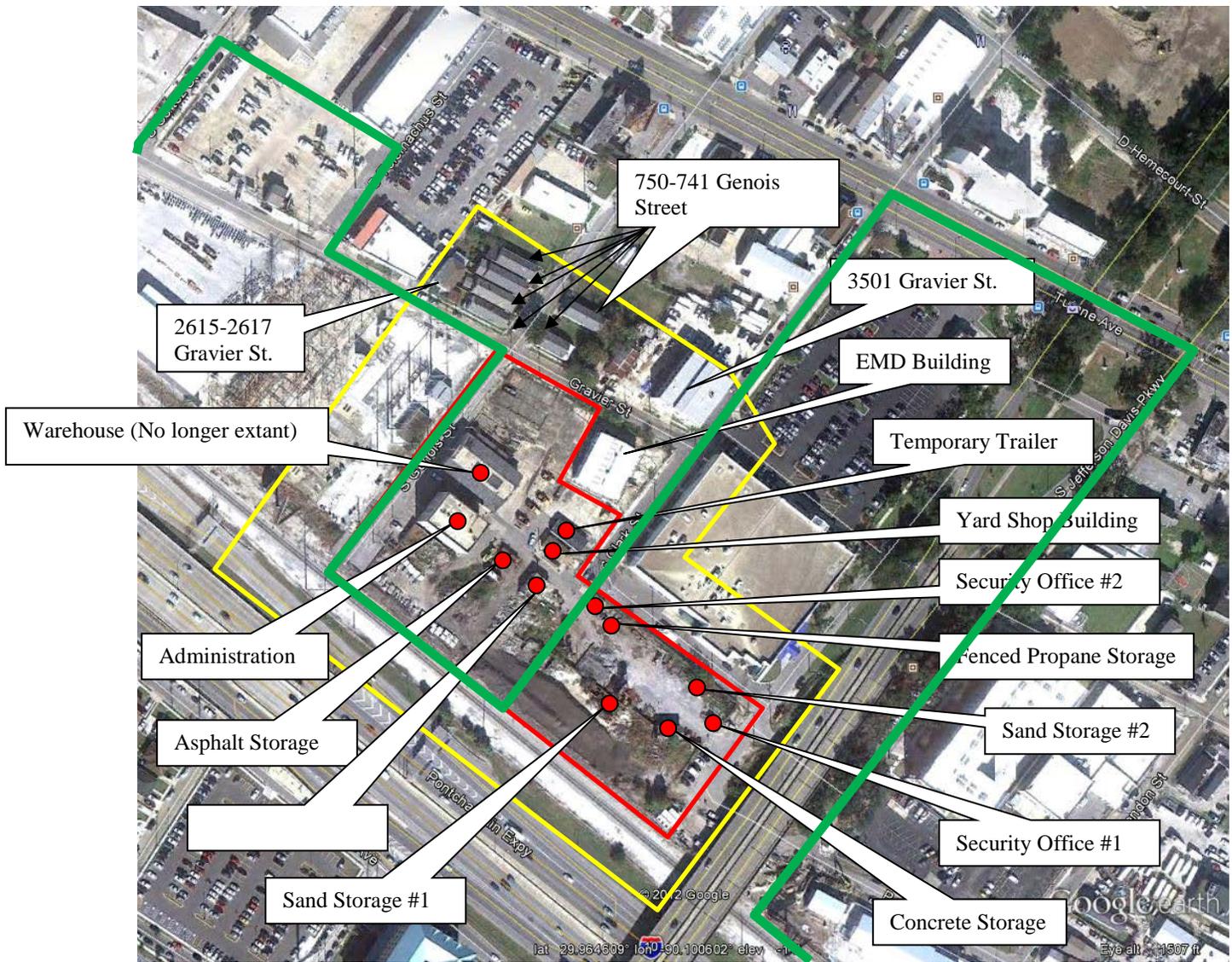


Figure 1. APE Map with the Standing Structures APE in yellow and the Archaeological APE in red. North of the green line is the Mid-City Historic District. Structures to be demolished indicated by red circles.



FEMA

U.S. Department of Homeland Security
Federal Emergency Management Agency
FEMA-1603/1607/1786/1792 -DR-LA
Louisiana Recovery Office
Environmental/Historic Preservation
1 Seine Court
New Orleans, LA 70114

April 1, 2013

Reid Nelson, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office
1100 Pennsylvania Ave., NW, Suite 809
Washington, D.C. 20004

RE: Adverse Effect Notification

Section 106 Review Consultation, Hurricane Katrina, FEMA 1603 DR-LA

Applicant: City of New Orleans

Undertaking: Demolition of 11 buildings and structures at the DPW Field Office Complex, 838 S. Genois St., New Orleans, Orleans Parish, LA (A/I 1967)

Determination: Adverse Effect to Historic Properties

Dear Mr. Nelson:

The Federal Emergency Management Agency (FEMA) will be providing funds authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, in response to the following major Disaster Declarations:

FEMA-1603-DR-LA, dated August 29, 2005, as amended.

Description of the Undertaking

FEMA, through its Public Assistance Program, proposes to fund the demolition of eleven buildings and related structures at the Department of Public Works (DPW) Field Office near the intersection of S. Genois and Gravier Streets in the Mid-City neighborhood of New Orleans (Undertaking) as requested by the City of New Orleans (CNO or Applicant).¹ A map showing the location of the DPW Field Offices in the City of New Orleans is included as Figure 1. The properties that are proposed for demolition include the Administration Building, Yard Shop Building, Concrete Storage Building, Asphalt Storage Building, Security Office #1, Security Office #2, Boiler Building, a fenced Propane Storage area, two sand storage buildings, and a temporary trailer and were constructed between ca. 1925 and 2006 (Figure 2). The EMD Maintenance Building, a contemporary metal building, will remain.

¹ The Warehouse Building at the DPW Field Office Complex was heavily damaged by Hurricane Isaac in August 2012. FEMA DR-4080-LA, in consultation with SHPO, approved CNO's request to demolish the Warehouse Building in December 2012. FEMA completed a Section 106 review for the now demolished Warehouse Building and this action is not a part of this Undertaking.

CNO intends to construct a consolidated facility at this location in the future, but the plans have not been developed at this time and this action is not part of the Undertaking. If FEMA determines to provide funding for the construction of a consolidated facility at this location, it will initiate a Section 106 review to address its effects on historic properties.

Area of Potential Effects (APE)

In accordance with Stipulation VII.A of the *2009 Statewide PA as amended*, the APE for both the standing structures and archaeology were developed by FEMA in coordination with SHPO staff. The standing structures APE includes the project area and the surrounding view-shed. The archaeological APE is the project area to include all areas where ground-disturbing activities, such as demolition, staging, and site prep, will occur. The project area measures 5.25 acres (2.12 hectares). Both APEs are depicted in Figures 1 and 2.

Identification of Historic Properties

Historic Properties within the APE were identified based on FEMA's review of the National Register of Historic Places (NRHP) database, the Louisiana Cultural Resources Map, historic map research and site visits. This data was evaluated by FEMA using the National Register Criteria.

Standing Structures

On November 26, 2012 FEMA Historic Preservation Staff consulted the NRHP database and the Louisiana Cultural Resources Map and determined that a portion of the DPW Field Office Complex is located on the southern boundary of the Mid-City National Register Historic District (Mid-City) next to Interstate 10/US Route 90. Mid-City was listed in the NRHP on December 10, 1993 under Criterion C for architecture. Mid-City's period of significance and boundaries were updated on December 15, 2011. The nomination and 2011 NRHP update are on file with at SHPO offices in Baton Rouge and online:

(http://www.crt.state.la.us/hp/nationalregister/nhl/search_results.asp?search_type=historicname&value=Mid-City+Historic+District&pageno=1).

Of the eleven buildings and structures proposed for demolition within the DPW Field Office Complex, five are within the Mid-City boundary (Figure 2). The 2011 NRHP update identified the Administration Building, the Yard Shop Building, and the Boiler Building as contributing structures to Mid-City. The two remaining properties, the Asphalt Storage Building and a post-Katrina Temporary Trailer were constructed outside of the period of significance. An additional property in the DPW Field Office Complex that will not be demolished, the EMD Maintenance Building, is within the Mid-City boundary but constructed outside the period of significance. FEMA, in consultation with SHPO, determined that none of these three properties are eligible for NRHP listing under Criterion Consideration G. This consultation is documented in the SHPO's letter dated March 1, 2013.

Five of the six buildings and structures within the DPW Field Complex that are located outside of the Mid-City boundary are less than 50 years old. FEMA, in consultation with SHPO, determined that none are eligible for NRHP listing under Criterion Consideration G. The sixth building, the Concrete Storage Building was constructed ca. 1940, and appears to have been moved to its current location ca. 1970. The building is not individually eligible for listing in the NRHP.

Table 1 sets out FEMA’s NRHP determinations and SHPO’s concurrence for all properties within the DPW Field Office Complex. Photographs of the buildings and structures proposed for demolition are attached to this letter.

Table 1. Summary of FEMA’s NRHP Determinations for Buildings and Structures within the DPW Field Offices Complex (all properties proposed for demolition).

#	Standing Structure Description	Construction Date	Eligibility for Listing on National Register of Historic Places	Photo No.	Latitude/ Longitude	SHPO Concur 2/28/13
1	Administration Building	Ca. 1925	Contributes to Mid-City per 2011 Mid-City Update	1	29.96446, -90.101779	_____
2	Yard Shop Building	Ca. 1925	Contributes to Mid-City per 2011 Mid-City Update	3	29.964324, -90.101250	_____
3	Boiler Building	Ca. 1925	Contributes to Mid-City per 2011 Mid-City Update	4	29.964152, -90.101330	_____
4	Concrete Storage Building	Ca. 1940, moved ca. 1970	Not NRHP-eligible due to lack of significance	5	29.96351, -90.100667	Yes
5	Security Office #1	Ca. 1970	Not NRHP- eligible under Criteria Consideration G	6	29.964093, -90.101029	Yes
6	Security Office #2	Ca. 1970	Not NRHP- eligible under Criteria Consideration G	7	29.963549, -90.100454	Yes
7	Asphalt Storage Building	Ca. 1970	Not NRHP- eligible under Criteria Consideration G	8	29.964278, -90.101503	Yes
8	Sand Storage #1	Ca. 1970	Not NRHP- eligible under Criteria Consideration G	9	29.963730, -90.100507	Yes
9	Sand Storage #2	Ca. 1970	Not NRHP- eligible under Criteria Consideration G	10	29.963683, -90.100913	Yes
10	Propane Storage Area	Ca. 1980	Not NRHP- eligible under Criteria Consideration G	11	29.964002, -90.100944	Yes
11	Temporary Trailer	Placed on-site post-Katrina	Non-contributing to Mid-City per 2011 Mid-City Update	12	29.964394, -90.101194	_____

The standing structures APE also includes eight properties on Gravier and South Genois Streets within the view shed of the DPW Field Offices Complex that FEMA determined contribute to Mid-City (Figure 2). These properties are a mix of residential and commercial structures dating from the late-nineteenth and early-twentieth centuries. A ca. 1980 metal clad utility building and a ca. 2000 large, commercial building housing a Goodwill store are also located within the Standing Structures APE, but neither building exhibits exceptional significance to qualify for NRHP listing under Criterion Consideration G. SHPO did not comment on FEMA’s determinations in its letter dated March 1, 2013. Table 2 summarizes FEMA’s determinations for the contributing properties located outside of the DPW Field Office Complex and within the APE.

Table 2. Summary of FEMA’s NRHP Determinations for Buildings and Structures within the Standing Structures APE, located within the view shed and outside of the DPW Field Offices Complex (no action per this Undertaking).

No.	Standing Structure Description	Construction Date	Eligibility for Listing on National Register of Historic Places	Photo No.	Latitude/ Longitude
1	3501 Gravier Street	Ca. 1920	Contributes to Mid-City per 2011 Mid-City Update	13	29.964960, -90.100617
2	2615-1617 Gravier Street	Ca. 1920	Contributes to Mid-City per 2011 Mid-City Update	14	29.965465, -90.101838

No.	Standing Structure Description	Construction Date	Eligibility for Listing on National Register of Historic Places	Photo No.	Latitude/ Longitude
3	753-755 Gravier Street	Ca. 1920	Contributes to Mid-City per 2011 Mid-City Update	15	29.965311, -90.101513
4	749-751 South Genois Street	Ca. 1920	Contributes to Mid-City per 2011 Mid-City Update	15	29.965391, -90.101491
5	745-747 South Genois Street	Ca.1920	Contributes to Mid-City per 2011 Mid-City Update	16	29.965444, -90.101429
6	741-743 South Genois Street	Ca. 1920	Contributes to Mid-City per 2011 Mid-City Update	16	29.965519, -90.101357
7	750-752 South Genois Street	Ca. 1900	Contributes to Mid-City per 2011 Mid-City Update	17	29.965242, -90.101308
8	742 South Genois Street	Ca. 1900	Contributes to Mid-City per 2011 Mid-City Update	18	29.965362, -90.101180

Archaeology

Upon consultation of data provided by SHPO on December 5, 2012, FEMA has identified four recorded archaeological sites within ¼ mile of the archaeological APE: 16OR409, 16OR531, 16OR576, 16OR579 (Figure 3). Sites 16OR409, 16OR531, and 16OR579 are historic, domestic residences, dating from 1890-1920; 16OR576 is a railroad turntable and roundhouse, dating from 1860-1920. Sites 16OR531 and 16OR576 are ineligible for listing on the NRHP, 16OR409 and 16OR579 are un-assessed. None of these sites are within the archaeological APE and will not be affected by the Undertaking.

In the 1798 Trudeau map, the APE overlays a Cypress Swamp. The 1878 Hardee map shows the APE just north of the “New Canal” and much of the area gridded, but the land in the APE is not yet developed. The 1883 Mississippi River Commission map is nearly identical to the 1878 Hardee map. The 1883 Robinson map has the APE gridded, but no structures exist within the APE. The 1908-09 Sanborn Fire Insurance Map (Vol.3, Sheet 304) identifies that the APE covers all of City Square 701 and about a third of City Square 691 (Figure 4). City Square 701 contains a stable in the southeast corner, but the rest of the square is empty. However, City Square 691 has the Municipal Repair Plant in the south third of the square and the Standard Chemical Company in the middle third of the square. The Standard Chemical Company was in business from 1911 to 1933 and extracted, purified, and manufactured radioactive ores including uranium, vanadium, and radium. The 1929-40 Sanborn Fire Insurance Map (Vol.3, Sheet 254) identifies that the APE is completely covered by the Division of Public Works field office (Figure 5).

The area has not been surveyed for archaeological resources, and is identified as being within the New Orleans Moderate Archaeological probability zone. The soils are at the edge of Convent-Commerce-Sharkey, a recent alluvium, and Harahan-Rita-Westwego, a gulf coast deltaic marsh. FEMA archaeologists conducted a site visit on December 7, 2012, to evaluate the archaeological resource potential within the APE.

FEMA has determined that the archaeological resource potential of the area is limited to historic resources, specifically industrial resources as the APE was originally a cypress swamp and the stable was the only non-industrial structure to be constructed within the APE prior to the construction of the Standard Chemical Plant and Public Works Plant. In order to identify possible research questions regarding industrial archaeological sites, FEMA staff reviewed the theses

maintained by Michigan Technical University, a premier Industrial Archaeology institution, and found these related to foundries, mines, and furnaces, but no research on chemical plants. The absence of available research on this property type presents a challenge to understanding the significance of archaeological deposits, if any, associated with the chemical plant.

Contemporary with FEMA's efforts to identify historic properties, a Memorandum for Record by a FEMA Environmental Protection Specialist (Stuart 2012) identified numerous environmental contamination issues within the APE, including potential radioactive material, heavy metals, asbestos, industrial waste, halogenated solvents, asphalt storage, uncontained hydrocarbons, and other contaminants that would make it unsafe for an archaeological survey to take place.

Although it is unknown if archaeological deposits are present within the APE, FEMA has determined that further identification and evaluation efforts will not be undertaken because of the level of contamination in the APE. In a letter dated March 1, 2013 (copy enclosed), SHPO agreed "that the presence of hazardous materials and other safety issues almost certainly preclude(s) archaeological investigations." FEMA, however, will address effects to archaeological resources, if any, through the discovery provision that will be included in the Memorandum of Agreement (MOA).

Copies or Summaries of Views by Consulting Parties and the Public

FEMA has identified the following potential Consulting Parties: Mid-City Neighborhood Association, Preservation Resource Center of New Orleans, Foundation for Historical Louisiana, Louisiana Landmarks Society, National Trust for Historic Preservation, and Goodwill Industries International, Inc., and provided them with a copy of its letter to SHPO and the supporting documentation. FEMA notified Indian tribes on February 15, 2013 regarding its adverse effect determination as required by the *2009 Statewide PA as amended*, and has received no comments. FEMA will invite all potential Consulting Parties to the initial Section 106 consultation meeting.

FEMA will post public notice(s) or initiate other avenues for public input as the Section 106 review progresses. FEMA requests recommendations regarding additional Consulting Parties and additional methods of seeking public input for the proposed Undertaking.

Assessment of Adverse Effects

FEMA has applied the criteria of adverse effect, pursuant to 36 CFR §800.5(a)(1), and determined that the Undertaking as proposed will adversely affect Mid-City through the demolition of three contributing properties: the Administration Building, Yard Shop Building, and Boiler Building at the DPW Field Offices complex. FEMA recognizes that the Undertaking has the potential to adversely affect archaeological resources and will provide for the treatment of any such resources in the MOA. SHPO concurred with FEMA's adverse effect determination in a letter dated March 1, 2013 and agreed to cooperate with FEMA to develop a MOA.

This letter, pursuant to 36 CFR §800.6(a)(1), is intended to notify the Advisory Council on Historic Preservation (ACHP) of the adverse effect. We have enclosed maps, photographs, and documentation required by 36 CFR §800.11(e). Please advise FEMA within 15-days of receipt of this letter if the ACHP determines to participate in this consultation as set out in 36 CFR §800.6(a)(1)(ii).

FEMA proposes to send future notices, draft agreements, and other background information by e-mail to minimize communication delays and expedite the development of the MOA. Please let FEMA know if this is impractical, so we can make alternative arrangements.

Your prompt review of this project is greatly appreciated. Should you have any questions or need additional information regarding this Undertaking, please contact Jeramé Cramer, Deputy Environmental Liaison Officer, at (504) 762-2917 or jerame.cramer@fema.dhs.gov, or Gail Lazaras, Lead Historic Preservation Specialist at (504) 715-6076 or gail.lazaras@fema.dhs.gov.

Sincerely,



Katherine Zeringue
Environmental Liaison Officer
FEMA-DR-1603-LA, FEMA-DR-1607-LA,
FEMA-DR-1786-LA, FEMA-DR-1792-LA.

cc: SHPO

Enclosures:

Stuart, Kristiaan

2012 Site Visit, Dept. of Public Works, New Orleans, LA. City of New Orleans, Department of Public Works (Applicant) DPW Field Office Complex (Project) FEMA-DR-1603, PW 11834, AIDB 1967. Manuscript on file at FEMA LRO.

Pam Breaux to Katherine Zeringue, letter dated March 1, 2013

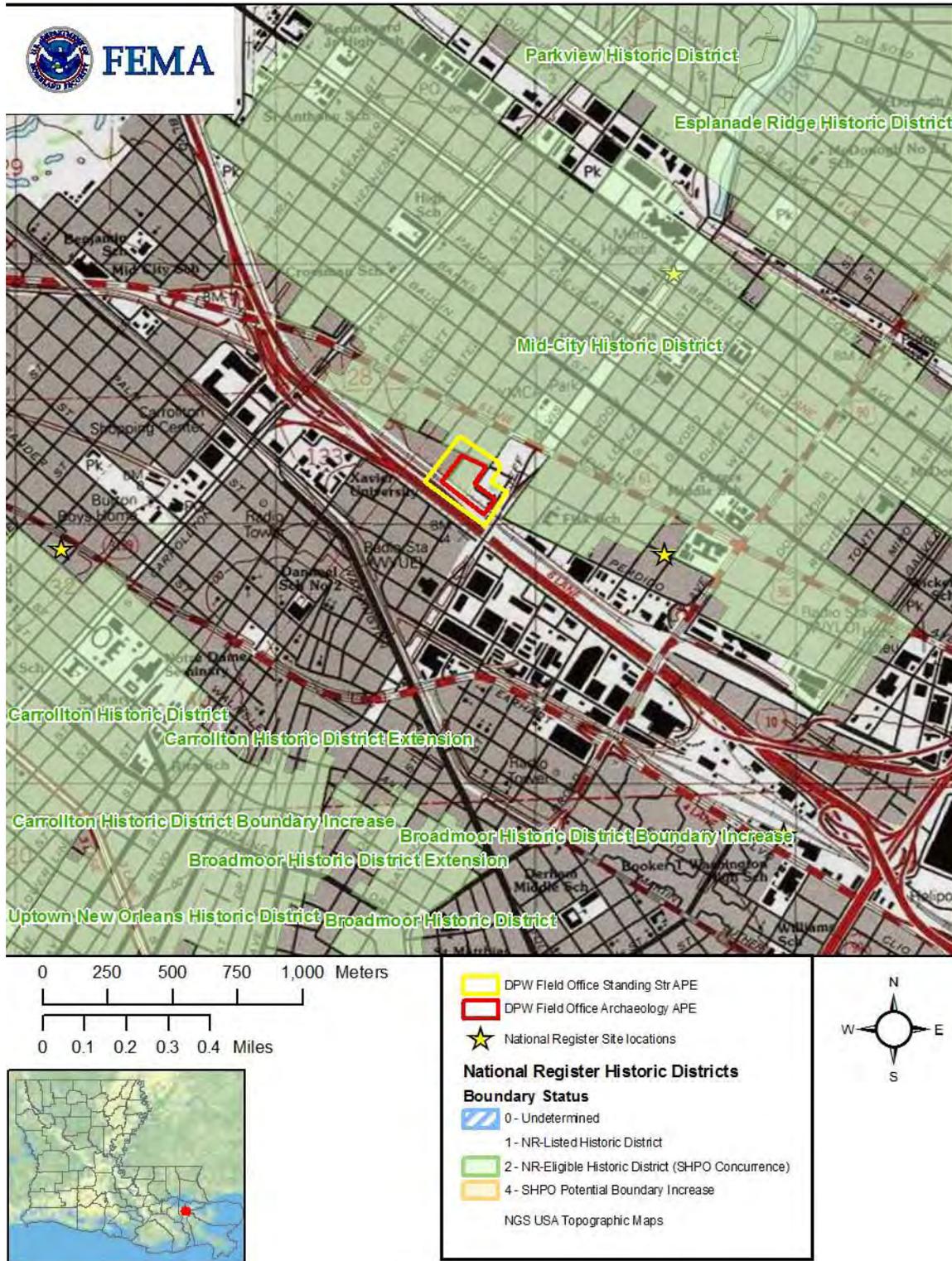


Figure 1: A portion of the New Orleans East 15' USGS topographic map showing the location of the DPW Field Office.

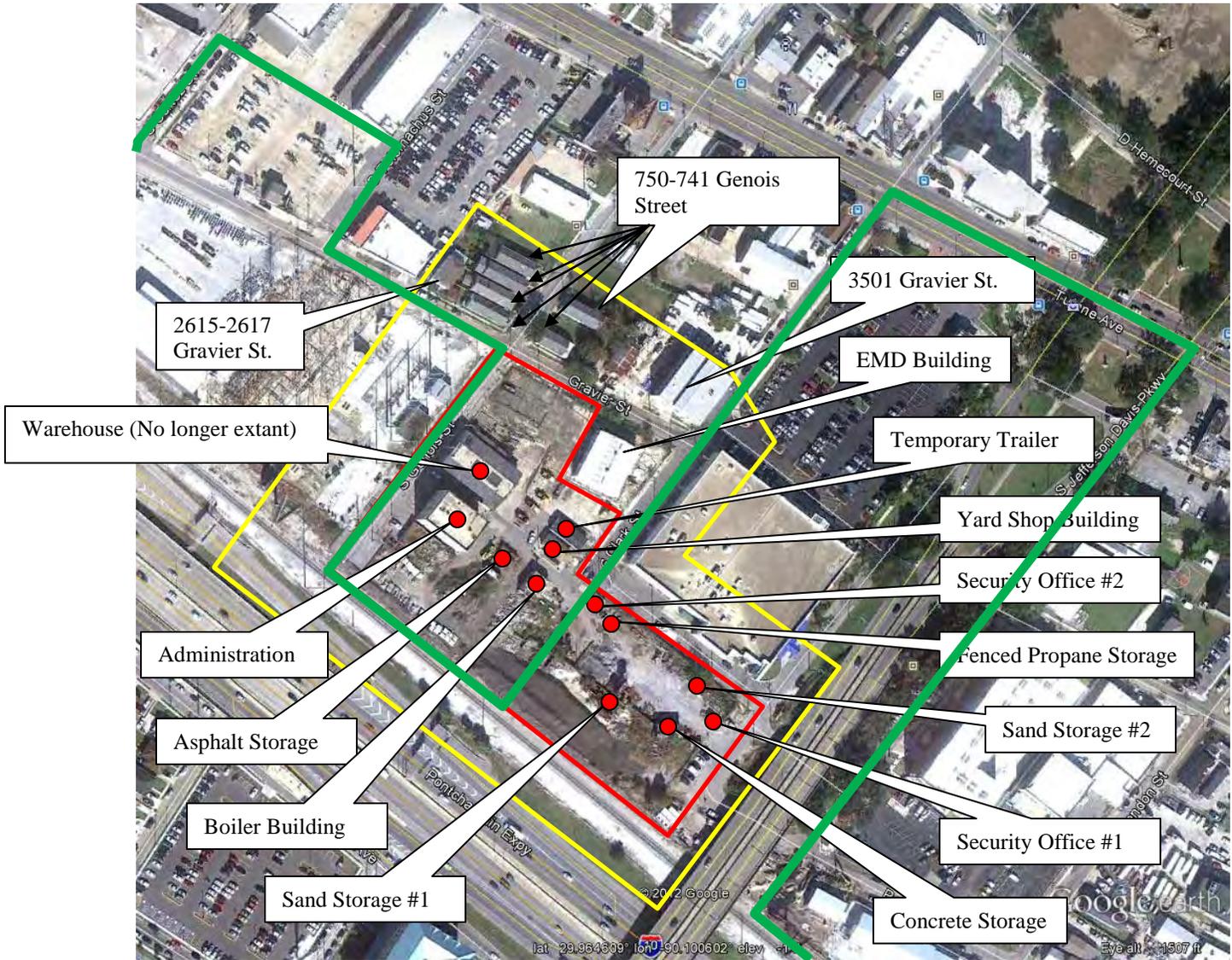


Figure 2. APE Map with the Standing Structures APE in yellow and the Archaeological APE in red. North of the green line is the Mid-City Historic District. Structures to be demolished indicated by red circles.

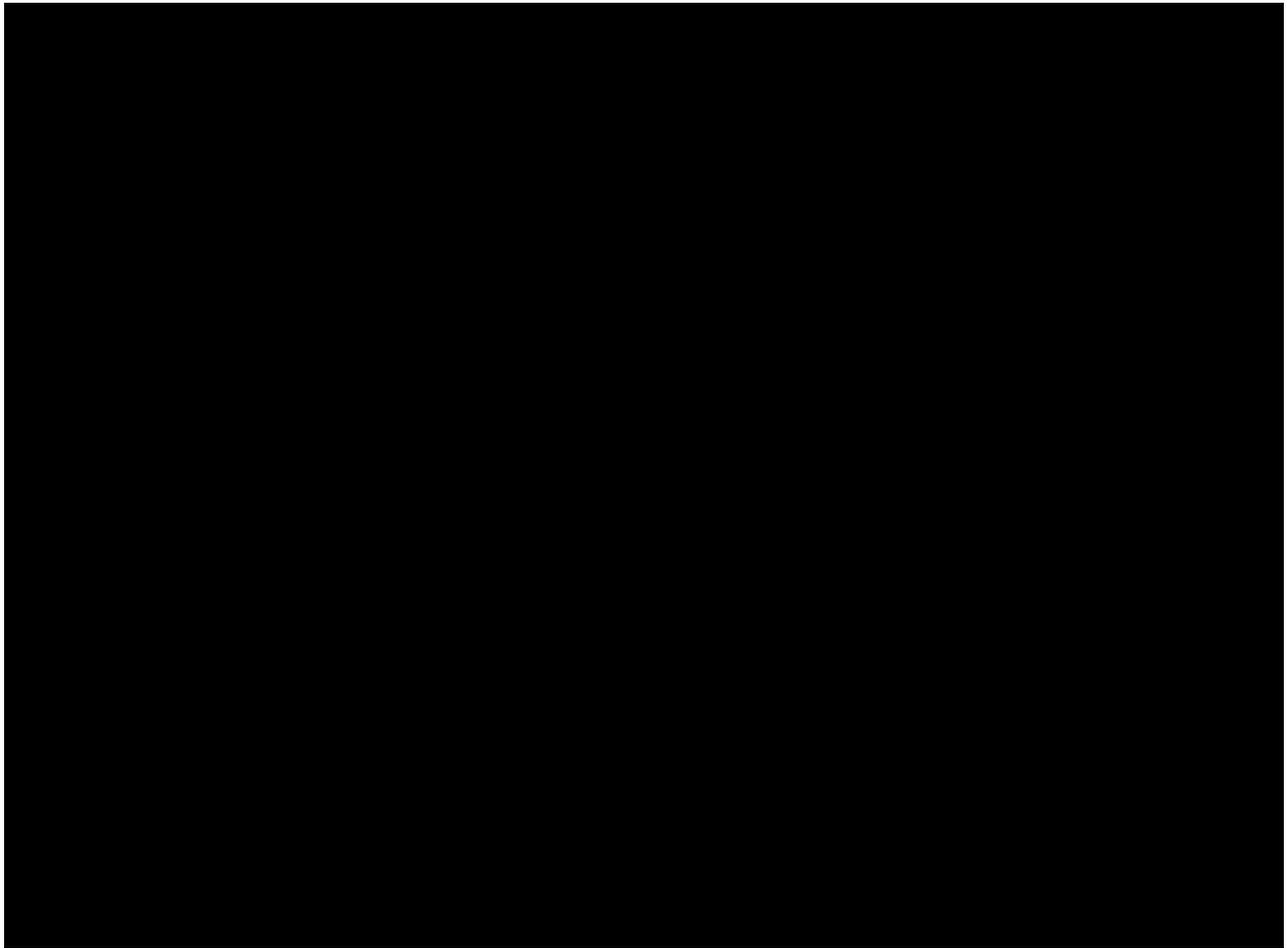


Figure 3. Archaeological sites within ¼ mile of archaeological APEs (yellow box).

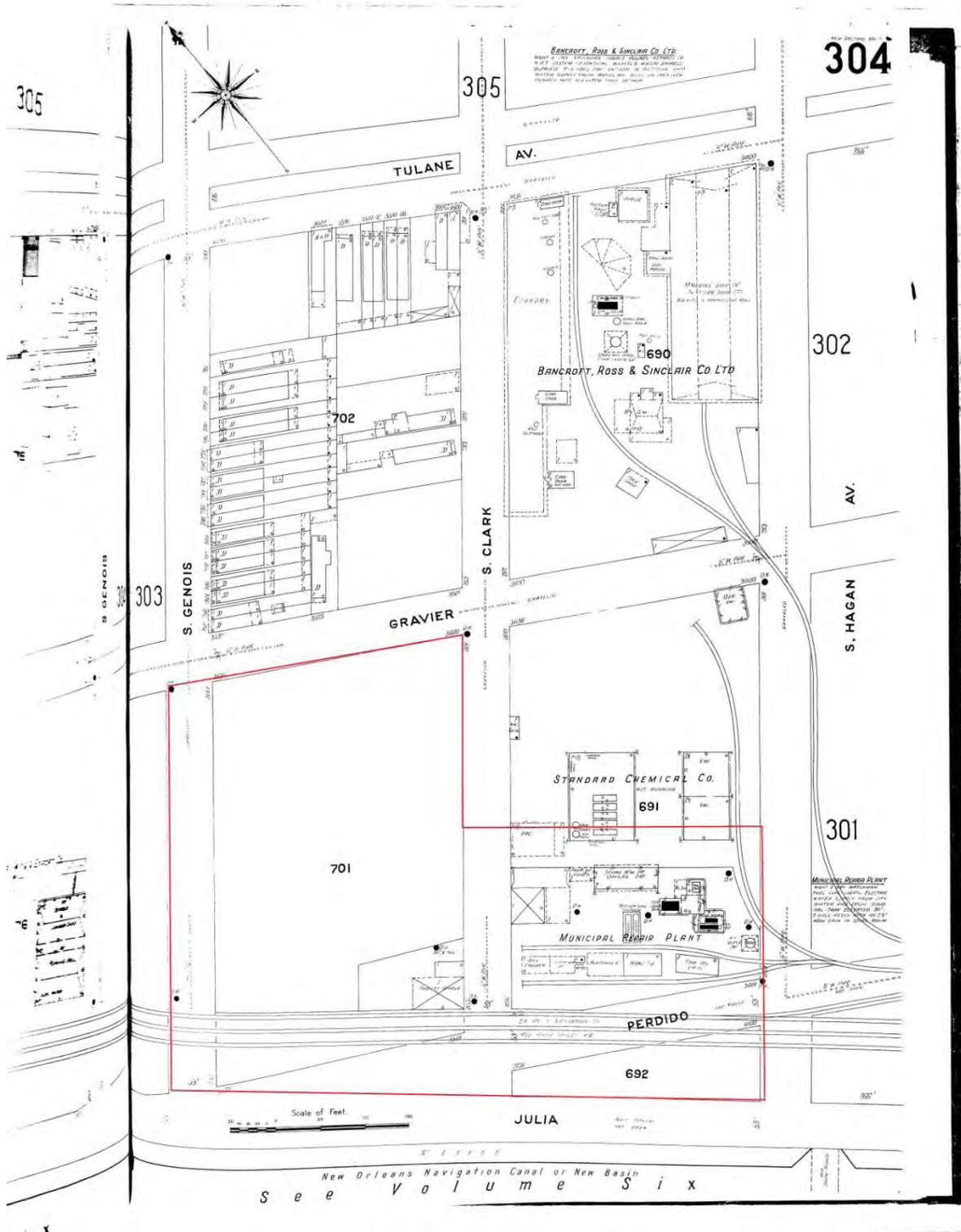


Figure 4. 1908-09 Sanborn Fire Insurance Map (Vol.3, Sheet 304). Archaeological APE in red.

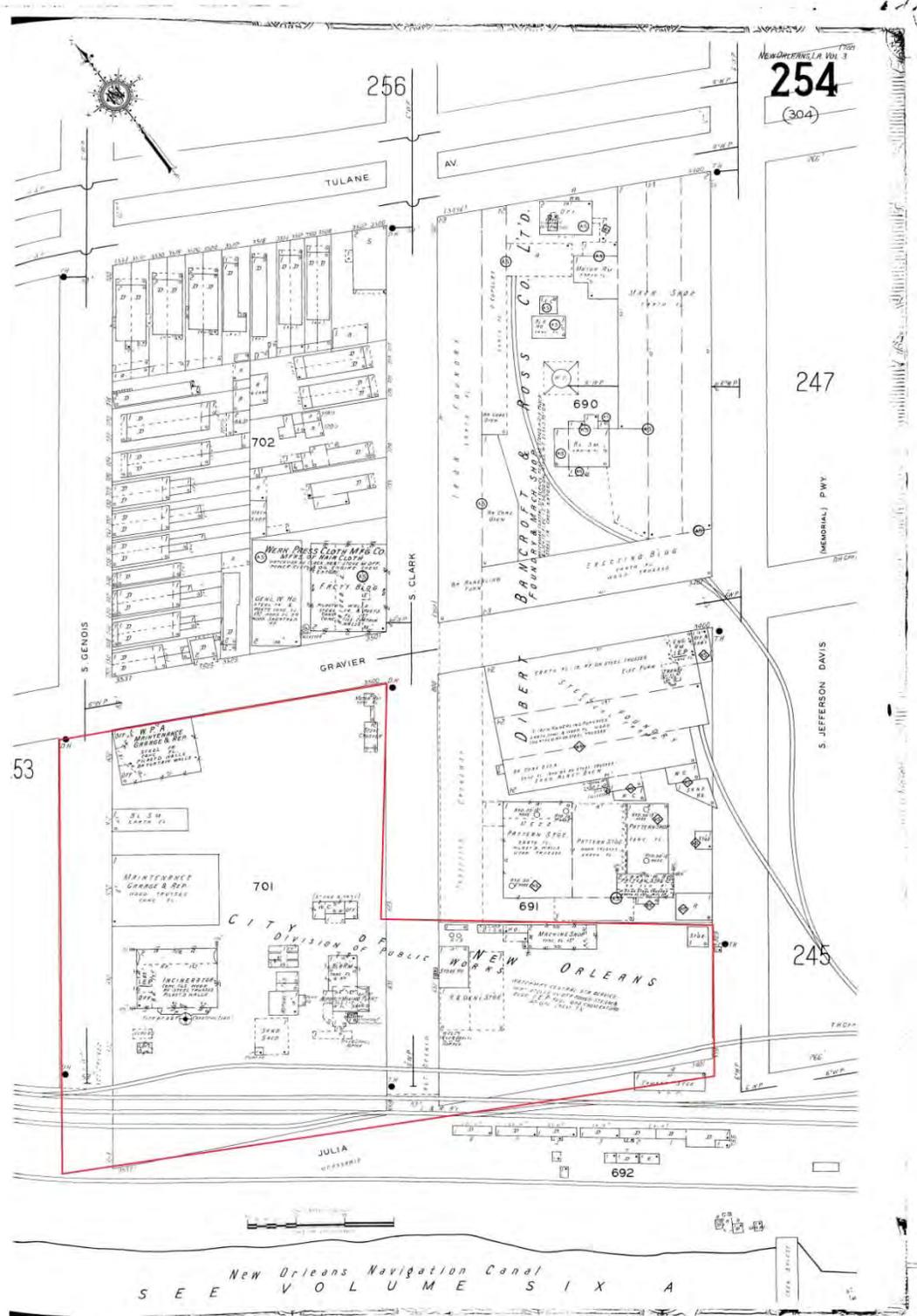


Figure 5. 1940 Sanborn Fire Insurance Map (Vol.3, Sheet 254). Archaeological APE in red.

DPW Field Offices Complex
838 Genois Street, New Orleans, Orleans Parish, LA

Photo 1.
View of
Administration
Building at the
DPW Field
Office
Complex.
Contributes to
Mid-City.
Proposed for
demolition
(FEMA,
December 2012).



Photo 2.
View of
Warehouse
Building at the
DPW Field
Office
Complex. This
building was
determined to
be a non-
contributing
element of Mid-
City and was
demolished in
January 2012
with Hurricane
Isaac FEMA
funding
(FEMA,
December
2012).



**DPW Field Offices Complex
838 Genois Street, New Orleans, Orleans Parish, LA**

Photo 3.
View of Yard
Shop Building
at the DPW
Field Office
Complex.
Contributes to
Mid-City.
Proposed for
demolition
(FEMA,
December 2012).



Photo 4.
View of Boiler
Building at the
DPW Field
Office
Complex.
Contributes to
Mid-City.
Proposed for
demolition
(FEMA,
December 2012).



DPW Field Offices Complex
838 Genois Street, New Orleans, Orleans Parish, LA

Photo 5.
View of
Concrete
Storage
Building at the
DPW Field
Office
Complex. Does
not contribute to
Mid-City.
Proposed for
demolition
(FEMA,
December 2012).



Photo 6.
View of Security
Office #1 at the
DPW Field
Office
Complex. Less
than 50 years of
age. Proposed
for demolition
(FEMA,
December 2012).



DPW Field Offices Complex
838 Genois Street, New Orleans, Orleans Parish, LA

Photo7.
View of Security
Office #2 at the
DPW Field
Office
Complex. Less
than 50 years of
age. Proposed
for demolition
(FEMA,
December 2012).



Photo 8.
View of Asphalt
Storage
Building at the
DPW Field
Office
Complex. Less
than 50 years of
age. Proposed
for demolition
(FEMA,
December 2012).



DPW Field Offices Complex
838 Genois Street, New Orleans, Orleans Parish, LA

Photo 9.
View of Sand Storage Building #1 at the DPW Field Office Complex. Less than 50 years of age. Proposed for demolition (FEMA, December 2012).



Photo 10.
View of Sand Storage Building #2 at the DPW Field Office Complex. Less than 50 years of age. Proposed for demolition (FEMA, December 2012).



**DPW Field Offices Complex
838 Genois Street, New Orleans, Orleans Parish, LA**

Photo 11.
View of fenced
Propane Storage
area at the DPW
Field Office
Complex. Less
than 50 years of
age. Proposed
for demolition
(FEMA,
December 2012).



Photo 12.
View of
Temporary
Trailer at the
DPW Field
Office
Complex. Less
than 50 years of
age. Proposed
for
demolition/remo
val (FEMA,
December 2012).



DPW Field Offices Complex
838 Genois Street, New Orleans, Orleans Parish, LA

Photo 13.
3501 Gravier
Street.
Contributes to
Mid-City
(FEMA,
December 2012).



Photo 14.
View of 2615
and 2617
Gravier Street.
Contributes to
Mid-City
(FEMA,
December 2012).



**DPW Field Offices Complex
838 Genois Street, New Orleans, Orleans Parish, LA**

Photo 15.
View of 755,
753, 751,
and 749 Genois
Street.
Contributes to
Mid-City
(Google, April
2011).



Photo 16.
View of 747,
745, 743, and
741 Genois
Street.
Contributes to
Mid-City
(Google, April
2011).



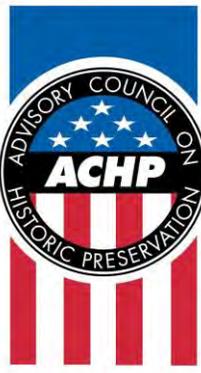
**DPW Field Offices Complex
838 Genois Street, New Orleans, Orleans Parish, LA**

Photo 17.
View of 750 and
752 Genois
Street.
Contributes to
Mid-City
(FEMA,
December 2012).



Photo 18.
View of 742
Genois Street.
Contributes to
Mid-City
(FEMA,
December 2012).





Preserving America's Heritage

April 11, 2013

Katherine Zeringue
Environmental Liaison Officer
FEMA – Louisiana Recovery Office
1 Seine Court
New Orleans, LA 70114

Ref: *Proposed Demolition of 11 Buildings and Structures at the DPW Field Office Complex
New Orleans, Orleans Parish, Louisiana*

Dear Ms. Zeringue:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, “Protection of Historic Properties” (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Louisiana State Historic Preservation Office (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact Ms. Jaime Loichinger at 202-606-8529 or at jloichinger@achp.gov.

Sincerely,

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov



FEMA

FEMA Section 106 Notices for Louisiana

[Click here to close this window](#)



FEMA

FEMA Public Assistance is providing funding the demolition of 10 of the 12 buildings in the City of New Orleans' DPW Complex at 838 South Genois Street in New Orleans (see map).¹

In the project area, FEMA has identified 3 historic buildings that contribute to the Mid-City Historic District, listed on the National Register of Historic Places.

Demolition of the Administration Building (see photo), the Yard Shop Building and the Boiler Building, as proposed, will adversely affect these historic resources. FEMA has researched the potential for archaeological resources in the project area, and determined that effects to archaeological resources, if any, will be addressed through discovery procedures during demolition. Federal regulations in 36 CFR Part 800 and 44 CFR Part 10 require FEMA, as a funding agency, to identify if any of the properties affected by the project are listed or eligible for listing in the National Register of Historic Places; to assess the effects the project will have on historic properties; and to seek ways to avoid, minimize, or mitigate any adverse effects to historic properties; and to evaluate the proposed action's potential for significant impacts to the human and natural environment.²

To help develop a course of action for this project, FEMA is requesting input by June 3, 2013 from any member of the public on ways to avoid, minimize, or mitigate any adverse effects to these historic buildings or other significant elements of the human and natural environment.



Map showing the location of the Department of Public Works Field Office Complex (*from Google maps 2013*) in Mid-City, New Orleans.
click image to enlarge



Comments can be posted at
<http://www.crt.state.la.us/culturalassets/fema106/>

Photo showing the Administration Building within the
Department of Public Works Field Office Complex.
click image to enlarge

Or mailed to: FEMA Mail Center/Historic
Preservation
1 Seine Court,
New Orleans, LA 70114

All comments must be posted or postmarked by June 3, 2013

¹ The high winds and heavy rains of Hurricanes Katrina and the subsequent widespread flooding damaged many buildings in Orleans Parish, LA. In the aftermath of the hurricane, the Federal Emergency Management Agency (FEMA) is issuing this public notice as part of its responsibilities under the Advisory Council on Historic Preservation's regulations, 36 CFR Part 800, implementing Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA). This notice applies to activities carried out by the Public Assistance (PA) program implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§5152-5206.

² FEMA is required to following the Council of Environmental Quality (CEQ) regulations (NEPA regulations, 43 FR 55978 (1978)) that provide policy and procedures to enable FEMA officials to be informed of and take into account environmental considerations when authorizing or approving major FEMA actions that may significantly affect the environment of the United States. It is the intent of NEPA that federal agencies encourage and facilitate public involvement to the extent practicable in decisions that may affect the quality of the environment. More information on NEPA and FEMA's Alternative Arrangements process can be found on FEMA's web page at: <https://www.fema.gov/new-orleans-metropolitan-area-infrastructure-projects-6>

Appendix E

Public Notice

**DRAFT ENVIRONMENTAL ASSESSMENT AND DRAFT
FINDING OF NO SIGNIFICANT IMPACT FOR AN
IMPROVED PROJECT FOR THE CITY OF NEW ORLEANS DEPARTMENT OF
PUBLIC WORKS FIELD OFFICES, ORLEANS PARISH, LOUISIANA**

Interested parties are hereby notified that the Federal Emergency Management Agency (FEMA) has prepared a draft Environmental Assessment (EA) and a draft Finding of No Significant Impact (FONSI) in compliance with the National Environmental Policy Act (NEPA). The purpose of the EA is to assess the effects on the human and natural environment of the City of New Orleans' (CNO) proposed Department of Public Works (DPW) consolidated facility in New Orleans, Louisiana 70119, a proposed action for which FEMA is considering providing funding assistance.

Hurricane Katrina made landfall on 29 August 2005, near the town of Buras, Louisiana, with sustained winds of more than 125 miles per hour. The accompanying storm surge damaged levees and entered the city of New Orleans from various coastal waterways, resulting in flooding throughout much of the city. The storm's high winds, heavy rains, and flooding caused considerable damage to the site of the City of New Orleans' Department of Public Works Field Offices complex. The applicant has determined that repair of the damaged facility to its pre-Katrina specifications would not be in the best interest of the community and, instead, proposes to demolish eight (8) of the nine (9) existing buildings and construct a new facility in their place that would consolidate several other CNO functions at the 838 S. Genois Street location. The approximate geographic coordinates of the proposed project site are Latitude 29.96441°N, Longitude -90.10146°W. The new facility would allow for relocation of CNO's auto impound lot, transfer of the offices of the parking meter readers, staging of storm sewer vacuum trucks, and relocation of the Traffic Sign and Signal Shop. The Traffic Sign and Signal Shop would occupy the existing Equipment Maintenance Division building on the site. The new main building to be constructed would house DPW administrative, inventory, and maintenance/shop functions.

The purpose of the draft EA is to analyze the potential environmental impacts associated with the preferred action and two alternatives. The draft EA evaluates a No Action Alternative; the Preferred Action Alternative, which is to construct a new facility to consolidate various CNO functions; and an Alternative Action, which is to repair the existing buildings with upgrades to current codes and standards.

The draft FONSI is FEMA's finding that the preferred action will not have a significant effect on the human and natural environment.

The draft EA and draft FONSI are available for review at the following location: New Orleans Main Public Library, 219 Loyola Avenue, New Orleans, Louisiana 70112 (hours of operation are 10:00 a.m. to 6:00 p.m., Monday-Thursday and 10:00 a.m. to 5:00 p.m. Friday and Saturday). The documents also can be downloaded from FEMA's website at <http://www.fema.gov/media-library/search/DPW>. A public notice for the project will be published on Wednesday, 5 August, Friday, 7 August, and Sunday, 9 August 2015, in the *Times-Picayune*, the journal of record for Orleans Parish, as well as in *The Advocate – New Orleans Edition*, from Monday, 3 August through Friday, 7 August 2015. Additionally, there will be a 15-day comment period, beginning on Monday, 10 August, and concluding on Tuesday, 25 August 2015, at 4:00 p.m. Written comments may be mailed to: DEPARTMENT OF HOMELAND SECURITY-FEMA EHP-DPW, 1500 MAIN STREET, BATON ROUGE, LOUISIANA 70802. Comments also may be e-mailed to fema-noma@dhs.gov or faxed to (225) 346-5848. Verbal comments will be accepted or recorded at (225) 267-2962. If no substantive comments are received, the draft EA and associated FONSI will become final.

Appendix F

FONSI



FEMA

**U.S. Department of Homeland Security
Federal Emergency Management Agency, Region VI
Louisiana Recovery Office
1500 Main Street
Baton Rouge, Louisiana 70802**

**FINDING OF NO SIGNIFICANT IMPACT
CITY OF NEW ORLEANS DEPARTMENT OF PUBLIC WORKS FIELD
OFFICES IMPROVED PROJECT, ORLEANS PARISH, LOUISIANA
*FEMA-1603-DR-LA***

BACKGROUND

Hurricane Katrina made landfall on 29 August 2005, near the town of Buras, Louisiana, with sustained winds of more than 125 miles per hour. The accompanying storm surge damaged levees and entered the city of New Orleans from various coastal waterways, resulting in flooding throughout much of the city. The storm's high winds, heavy rains, and flooding caused considerable damage to the site of the City of New Orleans' Department of Public Works (DPW) Field Offices complex at 838 S. Genois Street, New Orleans, Louisiana.

The Applicant has requested, via the State of Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP), that the Federal Emergency Management Agency (FEMA) provide disaster assistance through federal grant funds pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. Section 406 of the Stafford Act authorizes FEMA's Public Assistance Program to fund projects to repair, restore, and replace facilities damaged as a result of the declared event. The Applicant has determined that repair of the original damaged facilities to their pre-Hurricane Katrina specifications would not be in the best interest of the community, however. Consequently, in accordance with 44 C.F.R. § 206.203(d), CNO has requested an Improved Project. An Improved Project is any project where the applicant chooses to make additional improvements to an existing facility in the course of making disaster repairs. An Improved Project restores the facility and maintains its function, either at the current site or in another existing or new facility.

The proposal action is for the construction of a new facility on the DPW property once all existing structures, with the exception of the Equipment Maintenance Division (EMD) building, have been demolished. This project, as proposed, would serve to replace the pre-storm DPW functions, as well as permit the consolidation of other functions currently located elsewhere in the city. The new facility would allow for relocation of the City's auto impound lot, transfer of the offices of the parking meter readers, staging of storm sewer vacuum trucks, and relocation of the Traffic Sign and Signal Shop. The Traffic Sign and Signal Shop would occupy the existing EMD building on the site. The new main building to be constructed would house administrative, inventory, and maintenance/shop functions.

Pursuant to the Council on Environmental Quality's procedures for implementing the National Environmental Policy Act (NEPA) at 40 C.F.R. § 1506.3 and in accordance with 44 C.F.R. § 10, FEMA regulations to implement NEPA, an Environmental Assessment (EA) was prepared. The alternatives considered consist of: 1) No Action, 2) Repair of the Existing Buildings with Upgrades to Current Codes

and Standards, and 3) Construction of a New, Single Multi-Purpose Facility to Consolidate DPW Functions (Proposed Action).

FINDINGS

FEMA has evaluated the proposed project for significant adverse impacts to geology, soils, water resources (surface water, groundwater, and wetlands), floodplains, coastal resources, air quality, biological resources (vegetation, fish and wildlife, federally-listed threatened or endangered species and critical habitats), cultural resources, socioeconomics (including minority and low income populations), safety, noise, and hazardous materials. The results of these evaluations as well as consultations and input from other federal and state agencies are presented in the EA. During the construction period, short-term impacts to water quality, air quality, and noise are anticipated. All short-term impacts require conditions to minimize and mitigate impacts to the proposed project site and surrounding areas.

CONDITIONS

The following conditions must be met as part of the implementation of the project. Failure to comply with these conditions may jeopardize federal funds:

- The Applicant must follow all applicable local, state, and federal laws, regulations, and requirements and obtain and comply with all required permits and approvals prior to initiating work.
- The Cultural Resources conditions and processes are set forth in the *Memorandum of Agreement Among the Federal Emergency Management Agency the Louisiana State Historic Preservation Officer and the City of New Orleans Regarding the Demolition of the Department of Public Works Complex, 838 S. Genois Street, New Orleans, LA*, and attached hereto (Appendix D). A summary is provided here. There will be a design review of the proposed new construction (Stipulation II). There is a process outlining the communication that needs to happen (Stipulation III). There will be photo recordation of the existing structures prior to demolition, the development of a historic narrative, the creation of an interpretive display (Stipulation IV), and provision for un-anticipated discoveries (Stipulation V). Additionally, there are administrative stipulations. The end date of the Memorandum of Agreement is 31 December 2015.
- Project construction would involve the use of potentially hazardous materials (e.g., petroleum products, including but not limited to gasoline, diesel, brake and hydraulic fluid, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, and/or treated timber) and may result in the generation of small volumes of hazardous wastes. Appropriate measures to prevent, minimize, and control spills of hazardous materials must be taken and generated hazardous or non-hazardous wastes are required to be disposed in accordance with applicable federal, state, and local regulations.
- The Louisiana Department of Natural Resources (LDNR) requires that a complete Coastal Use Permit (CUP) Application package (Joint Application Form, location maps, project illustration plats with plan and cross section views, etc.) along with the appropriate application fee, be submitted to their office prior to construction. The Applicant is responsible for coordinating with and obtaining any required CUPs or other authorizations from the LDNR OCM's Permits and Mitigation Division prior to initiating work. The Applicant must comply with all conditions of the required permits. All documentation pertaining to these activities and Applicant compliance with any conditions should be forwarded to the state and FEMA for inclusion in the permanent project files.
- Applicant must comply with all local, state, and federal requirements related to sediment control, disposal of solid waste, control and containment of spills, and discharge of surface runoff and/or stormwater from the site.

- If the project results in a discharge to waters of the state, a Louisiana Pollutant Discharge Elimination System (LPDES) permit may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater. In order to minimize indirect impacts (erosion, sedimentation, dust, and other construction-related disturbances) to nearby waters of the U.S. and surrounding drainage areas, the contractor must ensure compliance with all local, state, and federal requirements related to sediment control, disposal of solid waste, control and containment of spills, and discharge of surface runoff and stormwater from the site. All documentation pertaining to these activities and Applicant compliance with any conditions should be forwarded to LA GOHSEP and FEMA for inclusion in the permanent project files.
- Per 44 C.F.R. § 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program. Per 44 C.F.R. § 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. 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 must be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files.
- All activities involving the remediation of known hazardous substances present in on-site soils must be conducted in accordance with LDEQ requirements and as specified in the approved Corrective Action Plan. Activities involving the remediation of as yet undiscovered hazardous substances in on-site soil and groundwater must be conducted in accordance with relevant LDEQ requirements. Remediation activities for such undiscovered contaminants may not begin until LDEQ approval has been received by the Applicant.
- Unusable equipment, debris, and material shall be disposed of in an approved manner and location. The Applicant shall handle, manage, and dispose of petroleum products, hazardous materials, and/or toxic waste in accordance with all local, state, and federal agency requirements. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- If any asbestos containing materials (ACM) and/or other hazardous materials are found during remediation or repair/replacement activities, the Applicant shall comply with all federal, state and local abatement and disposal requirements under the National Emissions Standards for Hazardous Air Pollutants (NESHAP) and Louisiana Administrative Code 33:III 5151. Demolition activities related to possible ACM must be inspected for asbestos where it is safe to do so. Should ACM be present, the Applicant is responsible for ensuring proper disposal in accordance with the previously referenced administrative orders. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files. Regardless of the asbestos content, the Applicant is responsible for ensuring that all renovation or demolition activities are coordinated with the LDEQ to the extent required prior to initiating work. All documentation pertaining to these activities and Applicant compliance with any conditions should be forwarded to the state and FEMA for inclusion in the permanent project files.
- All waste is to be transported by an entity maintaining a current "waste hauler permit" specifically for the waste being transported, as required by Louisiana Department of Transportation and Development and other regulations.

- Contractor and/or sub-contractors must properly handle, package, transport and dispose of hazardous materials, and/or waste in accordance with all local, state, and federal regulations, laws, and ordinances, including all Occupational Safety and Health Administration (OSHA) worker exposure regulations covered within 29 C.F.R. § 1910 and 1926. The Applicant is responsible for ensuring that renovation or demolition work is coordinated with the LDEQ for abatement activities.
- Applicant should handle, manage, and dispose of potentially hazardous waste, biomedical waste, radioactive waste, universal waste, and hazardous materials in accordance with the requirements of local, state, and federal regulations. These materials may include but are not limited to asbestos, lead-based paint, laboratory reagents, propane cylinders, paints and solvents, coolants containing chlorofluorocarbons (CFCs), used oil, polychlorinated biphenyls (PCBs), other petroleum products, used oil filters, fuel filters, cleaning chemicals, pesticides, batteries, and unlabeled tanks and containers. Equipment that may include these materials are ice machines, refrigerators, generators, computers, televisions, mercury switches, fluorescent lights, fluorescent light ballasts, sandblast units, paint sprayers, etc.

CONCLUSION

The results of these evaluations, as well as consultations and input from other federal and state agencies, are presented in the EA. Based on the information analyzed, FEMA has determined that the implementation of the proposed action would not result in significant adverse impacts to the quality of the natural and human environment. In addition, the proposed project does not appear to have the potential for significant cumulative effects when combined with past, present, and reasonably foreseeable future actions. As a result of this FONSI, an Environmental Impact Statement will not be prepared (per 44 C.F.R. § 10.9) and the proposed project as described in the EA may proceed.

APPROVALS

Kevin Jaynes, Regional Environmental Officer Region VI	Date
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Thomas M. Womack, Director of Louisiana Recovery Office FEMA-1603/1607-DR-LA	Date
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