

Draft Environmental Assessment

**Plaquemines Parish School Board  
Phoenix High School Athletic Fields**

FEMA-1603-DR-LA

Plaquemines Parish, Louisiana

*May 2016*



**FEMA**

**U.S. Department of Homeland Security**  
**Federal Emergency Management Agency, Region VI**  
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## LIST OF ACRONYMS AND ABBREVIATIONS

ABFE	Advisory Base Flood Elevation
APE	Area of Potential Effects
BFE	Base Flood Elevation
BMP	Best Management Practices
CAA	Clean Air Act
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
CPRA	Louisiana Coastal Protection and Restoration Authority
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
EA	Environmental Assessment
EFH	Essential Fish Habitat
EIS	Environmental Impact Statement
E.O.	Executive Order
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
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
LA GOHSEP	Louisiana Governor's Office of Homeland Security and Emergency Preparedness
LCRP	Louisiana Coastal Resources Plan
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
LDoA	Louisiana Division of Archaeology
LDoE	Louisiana Department of Education
LDWF	Louisiana Department of Wildlife and Fisheries
LPDES	Louisiana Pollutant Discharge Elimination System
NAAQS	National Ambient Air Quality Standards
NAVD88	North American Vertical Datum of 1988
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
NOMA	New Orleans Metropolitan Area
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
OCM	Office of Coastal Management
PA	Public Assistance
PCB	Polychlorinated biphenyl
P.L.	Public Law
PPSB	Plaquemines Parish School Board
RCRA	Resource Conservation and Recovery Act
RHA	Rivers and Harbors Act
R.S.	Louisiana Revised Statutes
SARA	Superfund Amendments and Reauthorization Act
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
USDA	U.S. Department of Agriculture
USDOC	U.S. Department of Commerce
USDOI	U.S. Department of the Interior
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service

## **1.0 INTRODUCTION**

### **1.1 Hurricane Katrina**

Hurricane Katrina made landfall on 29 August 2005, near the town of Buras, Louisiana, as a Category 3 storm with sustained winds of more than 125 miles per hour. The accompanying high winds and storm surge caused extensive damage to the Phoenix High School campus, including the school's athletic fields, which were inundated to a depth of approximately 11 feet.

### **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.] Parts 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. Parts 9-10) (Floodplain Management and Protection of Wetlands 1980; Environmental Considerations 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 Plaquemines Parish School Board (PPSB or 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 PPSB is eligible for federal disaster public assistance and that Phoenix High School qualifies for repair as a critical or non-critical facility serving the needs of the general public.

The PPSB 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), PPSB has requested an Alternate Project. An Alternate Project is any project where, in lieu of restoring a damaged facility, an applicant chooses to repair or expand other selected public facilities, to construct new facilities, or to fund hazard mitigation measures. For the current request, PPSB proposes to construct Phoenix High School's athletic fields at a



communities dotting the banks of the river to its mouth (Trahan 2000, Plaquemines Parish Government 2010).

Plaquemines Parish has a relatively small population (23,042 in 2010), but the largest combined area of land and water in Louisiana. The parish's population peaked in 2005, just prior to Hurricane Katrina, and is now gradually migrating from the more rural areas in the southeast toward the New Orleans Metropolitan Area (NOMA) to the northwest. The parish's long, linear configuration makes access difficult, with residents having to rely on a circuitous road system and two ferries. Because the population lives at very low density, most residents are remote from supply chains and retail centers, making services expensive to provide (Plaquemines Parish Government 2010).

The economy of Plaquemines Parish depends heavily on the oil and gas industry, which can be volatile, as well as marine fisheries. Although the coastal waters surrounding the parish possess large oil and natural gas reserves, society's movement toward a more sustainable energy economy is expected to have long-term effects on this industry. On the other hand, as of 2010, Plaquemines Parish's annual fish and shellfish harvests were ranked fourth in the nation. The parish's highly productive marshes also provide excellent sport fishing, which fuels the parish's tourism industry. Other industries, such as agriculture and port logistics, will continue to be important moving toward the future (Plaquemines Parish Government 2010).

Portions of Plaquemines Parish are covered by the Louisiana Enterprise Zone Program, which provides various tax credits to businesses that increase employment through offering jobs to target populations. On the east bank of the Mississippi, the Enterprise Zone extends from the northern parish border southward to a point approximately five (5) miles north-northeast of the community of Phoenix. As such, it does not include the proposed project area (Regional Planning Commission 2014).

The proposed Phoenix High School project is located within the Mississippi Alluvial Plain ecoregion of Louisiana, Deltaic Coastal Marshes and Barrier Islands sub-ecoregion, which is composed of a broad, mostly flat deltaic plain with river terraces, swales, and levees providing the main elements of relief. The typical physiography is freshwater and saline marshes, rivers, lakes, bayous, tidal channels, canals, and barrier islands. Few trees are present. The parish has a subtropical, humid climate typical of coastal regions along the Gulf of Mexico. The average winter temperature is 57°F and the average summer temperature is 81°F. Plaquemines Parish typically receives 58 inches of rainfall annually, with the majority occurring during the period March through October (Trahan 2000, Daigle et al. 2006).

## 2.0 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 impacted Plaquemines Parish and the Phoenix High School campus, which actually includes pre-kindergarten through 12<sup>th</sup> grade, as well as its athletic amenities. These outdoor facilities experienced flooding to a depth of approximately 11 feet (*Figure 2*).



**Figure 2 - Project site location (bordered in black and red) (Google Earth 2016)**

Phoenix High School is the only PPSB school on the eastern bank of the Mississippi River. It draws students from Braithwaite, in the north of the parish, all the way to the community of Bohemia in the south, a distance of about 35 miles. The school’s campus occupies a site approximately 14.5 acres in size. Prior to Hurricane Katrina, the school’s main building was located in the central third of the rectangular parcel, with the former football/soccer field in the northwest corner of the property. Because the school was not usable after the storm due to extensive flooding, a temporary modular facility was set up in the southern third of the site.

After the hurricane, in approximately 2007, a baseball field was added immediately east of the football/soccer field. Subsequently, FEMA funded a project to demolish the original main building and relocate the school to the northern third of the property, which occurred during 2011-2012. In so doing, both the football/soccer and baseball fields had to be removed. They have not since been replaced.

Louisiana Revised Statutes (R.S.) Title 17 (Education) § 276 (R.S. 17:276) states, “Each city and parish public school system, in accordance with the mandates of federal law and regulations, shall offer, as part of the physical education program at the secondary schools in such school system, sexually segregated contact sports and sexually integrated noncontact sports.” An American Heart Association Fact Sheet (2011) quotes the National Association for Sport and Physical Education’s national guidelines for physical education as calling for “a dedicated athletic facility; adequate space (110 to 150 square feet per-child); ... outdoor spaces; and natural play areas.” In addition, “[s]chool reconstruction and modernization should also promote physical activity and wellness for all age groups in the community.”

The U.S. Centers for Disease Control (2014) recommend that youth (both children and adolescents) get at least 60 minutes of age-appropriate moderate- to vigorous-intensity physical activity per day, with vigorous, muscle-strengthening and bone-strengthening activities occurring at least three (3) times per week. For Louisiana, only 24.2% of youth meet these physical activity guidelines. In accordance with R.S. 17:17 (2004) and the Louisiana Department of Education’s (LDoE) *Physical Education Handbook*, PPSB (2006) adopted a school wellness policy that states, “Both regular physical activity and nutrition mutually contribute to healthy citizens and reduce the incidence of diabetes, cardiovascular diseases, depression, obesity, and other chronic health problems... Since children spend the majority of their time at school during weekdays, it is imperative that schools provide students with the means to participate in physical activity.” Students in grades K-6 are required to participate in “planned, organized, and moderate to vigorous physical activity for a minimum of 30 minutes each school day.” PPSB commits to provide “a variety of fitness training, motor skills, and teamwork modules in the 270 hours of physical education required at the high school level for graduation.”

## 3.0 ALTERNATIVES

### 3.1 Overview of Alternatives

The NEPA process consists of an evaluation of the environmental effects of a federal action, including its alternatives. Three alternatives have been proposed and will be analyzed in this DEA, including 1) the “No Action” alternative, 2) Utilization of Nearby Existing Athletic Fields, and 3) Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action).

At the present time, Phoenix High School’s organized team sports consist primarily of basketball, as well as other sports which can be played within the new gymnasium facility built during 2011-2012 (Phoenix High School 2015). Outdoor athletics, such as baseball, football, and soccer have not occurred since 2009 due to the reconfiguration of the school campus that occurred after Hurricane Katrina. The current campus layout is shown in Figure 3.



Figure 3 - Phoenix High School campus, with proposed project area outlined in red (Google Earth 2016)

### **3.2 Alternative 1 – No Action**

Under the “No Action” alternative, there would be no construction of replacement baseball and football/soccer fields at Phoenix High School. The school’s affected sports teams would have no nearby fields on which to practice or host competing teams and the physical education programs of all age groups would be less effective. The benefits of vigorous team athletic activities would be lessened and the opportunity for learning new sports skills would be reduced.

### **3.3 Alternative 2 – Utilization of Nearby Existing Athletic Fields**

This alternative would entail making use of existing baseball and football/soccer fields at another nearby location. Davant Park is situated approximately 4½ miles east-southeast of Phoenix High School, at 15575 Highway 15, Braithwaite (Davant), LA 70040. The geographic coordinates of this park are Latitude 29.61117°N, Longitude -89.86236°W. Davant Park’s baseball field is comparable in size to the one proposed for the school. The existing soccer field at the park is currently undergoing improvements to adapt it for dual use as a football pitch, including the addition of bleachers and goalposts. As a venue for sporting events, this option would be functionally equivalent to the proposed alternative. No other suitable athletic fields exist on the east side of the Mississippi River within Plaquemines Parish. Although there are suitable sites on the west side of the river, the only access to these locations is via ferry, which makes the nearest option approximately 20 miles away by road. The Davant Park alternative meets the purpose and need and will be evaluated as the nearest practicable alternative location to the proposed action.

### **3.4 Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

The Applicant proposes to use eligible funding to construct replacement athletic fields within an approximate 8.5-acre vacant area of the Phoenix High School campus. These new amenities would allow the school to resume its organized baseball and football programs, which ended in 2009 and 2005, respectively (CBS Interactive 2016a, 2016b). This alternative would include a natural grass football/soccer field, goalposts, field lighting, electrical equipment and scoreboard, signage, parking area, asphalt driveway, concrete paved walkways, bleachers, baseball backstop, dugouts, a press box, and a surrounding chain-link fence (*Figure 4*). The seating capacity of the facility would be 300 persons. Concession and toilet amenities would consist of portable rolling units that would connect to the water and sewer lines that already exist on the site; however, limited reconfiguration of piping would be required. The proposed gravel parking lot would encompass an existing elliptically-shaped concrete slab, left over from an inflatable gymnasium that was part of the post-Katrina temporary modular campus facility. The project area’s geographic coordinates are Latitude 29.64252°N, Longitude -89.93028°W.

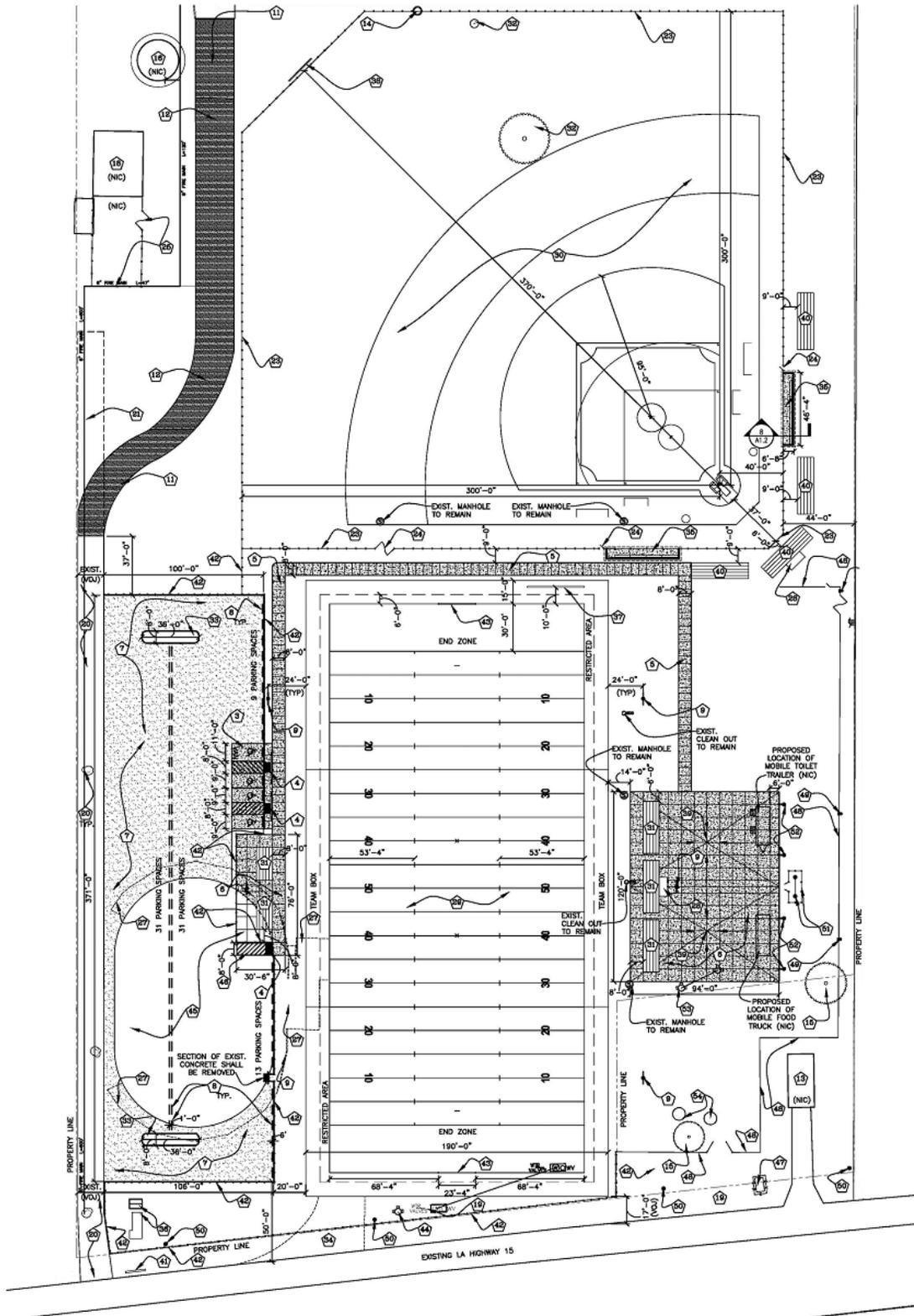


Figure 4 - Proposed site plan

## **4.0 AFFECTED ENVIRONMENT AND ALTERNATIVES ANALYSIS**

### **4.1 Physical Resources**

#### **4.1.1 Geology, Soils, and Seismicity**

##### ***4.1.1.1 Regulatory Setting***

The Farmland Protection Policy Act (FPPA) (P.L. 97-98, §§ 1539-1549; 7 U.S. Code [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. 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.

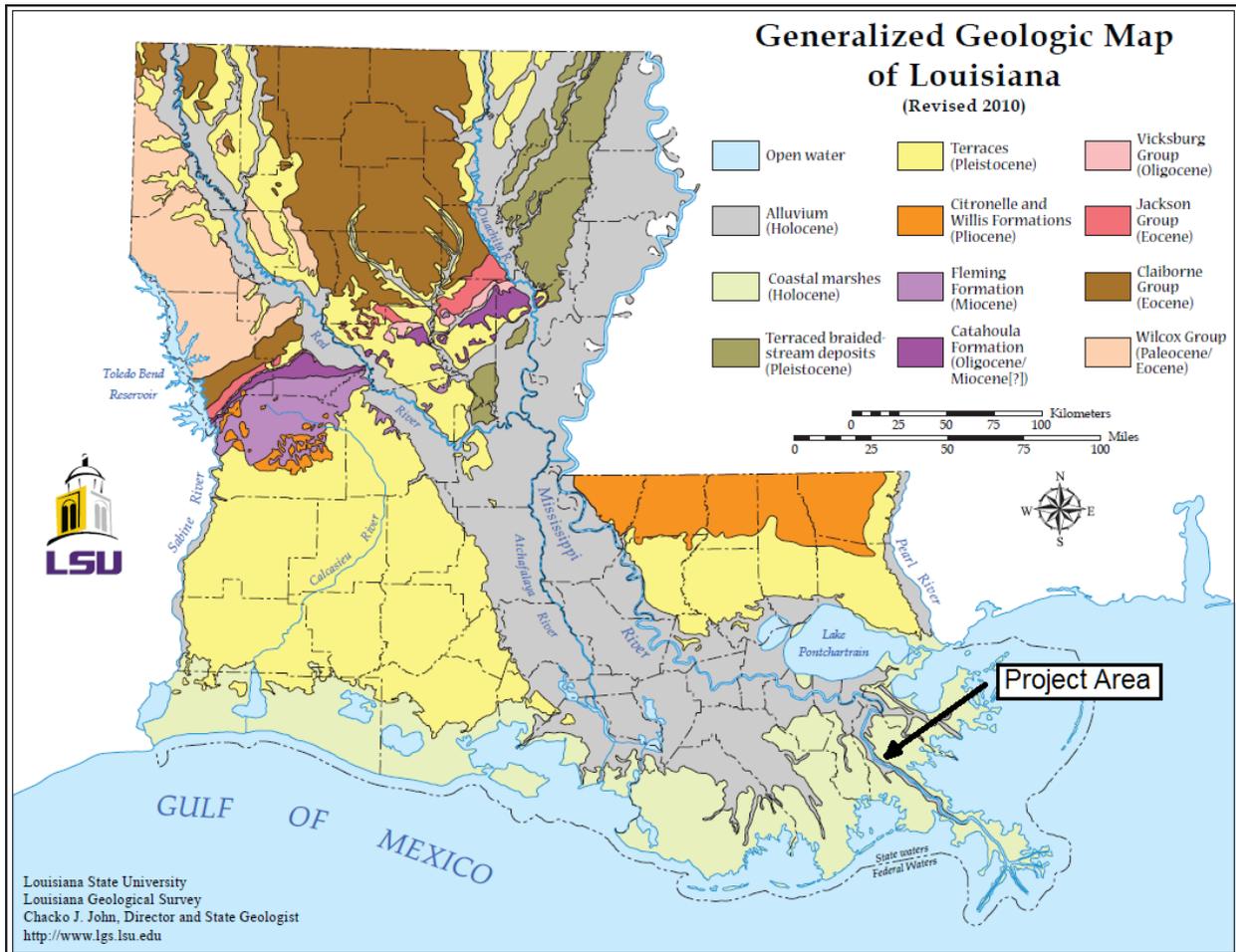
The U.S. Department of Agriculture (USDA) Natural Resources Conservation Service is responsible for protecting significant agricultural lands from irreversible conversions that result in the loss of essential food or environmental resources. For purposes of the FPPA, farmland includes prime farmland, 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 2016b). 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.

##### ***4.1.1.2 Existing Conditions***

Within Plaquemines Parish, approximate surface elevations range from 12 feet above sea level on Mississippi River berms to 5 feet below sea level within drained wetland areas. Large acreages of these former marshes and swamps have been drained and filled in order to provide pasture land or facilitate urban development (Trahan 2000). According to the Louisiana Geological Survey, the geology in the vicinity of the project site is predominantly Holocene Coastal Marshes. Holocene deposits cover about 55% of the state (*Figure 5*). The Holocene Epoch began approximately 11,700 years ago and continues to the present day. Coastal Marsh soils consist chiefly of mud and organic matter (Louisiana Geological Survey 2010).

During the last century, four (4) seismic events have been recorded in Plaquemines Parish, two (2) minor earthquakes in 1927 and 1929 near the mouth of the Mississippi River and two (2) more recent events closer to the project area. The first of these latter two (2) events involved movement in 1974-1975 along a 4.6-mile segment of the Bastian Bay Fault, which runs in a roughly east-west direction about 25 miles southeast of the project area. Subsidence resulting from this occurrence was responsible for the creation of a 23,600-acre bay approximately 3 to 4 feet deep. The second event occurred in 1976-1978 and consisted of movement along a 4.8-mile section of the Empire Fault (an east-west fault located roughly 20 miles southeast of the project site). This movement created a 12,400-acre bay, also about 3 to 4 feet deep. These and similar faulting events are responsible for many of the open-water zones of the parish. Overall

subsidence in Plaquemines Parish averages from 4 to 10 feet/century (including sea level rise), depending on the particular location (van Beek et al. 1986, Gagliano et al. 2003, Gagliano 2005).



**Figure 5 - Generalized Geologic Map of Louisiana indicating project area (Louisiana Geological Survey 2010)**

The soils of Plaquemines Parish vary in their potential for land use and urban development (Trahan 2000). Soils in the southern two-thirds ( $\frac{2}{3}$ ) of the proposed project area consist of Cancienne silty clay loam, 0 to 1% slopes, while the northern portion of the site is mapped as Harahan clay, 0 to 1% slopes. Both Cancienne and Harahan soils are classified as prime farmland (USDA 2016c).

Cancienne soils are composed of silty alluvial parent material and are found on natural levees in floodplains. These soils are somewhat poorly drained and have moderate shrink-swell potential. A seasonally high water table is present during winter and spring, fluctuating between the soil surface and a depth of about 3½ feet. Use of this soil for intensive recreation is somewhat limited due to dust and slow water movement. Urban uses are also somewhat limited due to the soil’s shrink-swell potential (USDA 2016c).

Harahan clay is a level and poorly drained mineral soil with a very high shrink-swell potential and medium total subsidence potential. It is found in low positions in former swamps within the

Mississippi River floodplain. Most areas of this soil are protected from normal flooding by levees and drained with pumps. Although this soil has high fertility, water and air move through it at a very slow rate. A high water table is present year-round, fluctuating between one (1) and three (3) feet below the soil surface. Harahan clay is poorly suited to urban and intensive recreation uses, necessitating pilings and specially-constructed foundations for buildings. This soil is moderately well-suited for pasture and cropland use (Trahan 2000, USDA 2016c).

In Plaquemines Parish, all water used for public consumption and industrial applications is taken from the Mississippi River because there are no major sources of non-saline groundwater. A very small percentage of rural domestic water use relies upon shallow private wells. Groundwater below the study area is present in one (1) of two (2) aquifers present in Plaquemines Parish. This aquifer, known as the Gramercy (between 200 and 400 feet below the soil surface), contains slightly- to moderately-saline waters unsuitable for public consumption (Prakken 2013).

#### ***4.1.1.3 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 – Utilization of Nearby Existing Athletic Fields**

Utilization of existing athletic fields at other locations also would have no impact on important farmland or other geologic resources.

##### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

The site of the proposed athletic fields is significantly disturbed and has been fully developed in the past. Although the soils mapped in this area are considered to be prime farmland (USDA 2016c), the FPPA addresses the conversion of farmland to non-farmland uses only. FEMA coordinated with state and federal resource agencies through 19 December 2014 and 17 February 2016 Solicitations of Views (SOVs) (Appendix B). The Natural Resources Conservation Service, in its 22 December 2014 and 26 February 2016 respective replies, stated that “the proposed construction areas are within urban and/or built-up areas and therefore are exempt from the rules and regulations of the Farmland Protection Policy Act (FPPA)—Subtitle I of Title XV, Section 1539-1549” (USDA 2014, 2016a). No other significant impacts to geologic resources resulting from the Proposed Action Alternative are anticipated.

#### **4.1.2 Air Quality**

##### ***4.1.2.1 Regulatory Setting***

The Clean Air Act (CAA) of 1970 (42 U.S.C. § 7401 et seq.), including its 1977 and 1990 amendments, is the federal law that regulates air emissions from stationary and mobile sources. This law tasks the U.S. Environmental Protection Agency (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<sub>x</sub>), ozone (O<sub>3</sub>), particulate matter (less than 10 micrometers [PM<sub>10</sub>] and less than 2.5 micrometers [PM<sub>2.5</sub>]), and sulfur dioxide (SO<sub>2</sub>).

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 2016a).

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. The Louisiana Department of Environmental Quality’s (LDEQ) NESHAP regulatory program was re-approved by USEPA effective 27 April 2015 (New Source Performance Standards 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).

#### ***4.1.2.2 Existing Conditions***

According to *The Green Book Nonattainment Areas for Criteria Pollutants* (USEPA 2016e), the Parish of Plaquemines is considered to be an “attainment area” for criteria pollutants. Pursuant to 40 C.F.R. § 93.157, “If an action’s emissions are below the *de minimis* levels or the action is not located in a nonattainment or maintenance area, a conformity determination is not required” (Revisions to the General Conformity Regulations 2010). As a result, no General Conformity determination is required by FEMA for projects it funds within this parish.

The Phillips 66 Alliance Refinery is located approximately 3½ miles to the northwest of Phoenix High School. Based upon the latest available data from December 2015, the plant’s air emissions do not exceed CAA permitted amounts.

### **4.1.2.3 Environmental Consequences**

#### **Alternative 1 – No Action**

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

#### **Alternative 2 – Utilization of Nearby Existing Athletic Fields**

This alternative potentially includes both short- and long-term impacts to air quality resulting from the generation of fugitive dust and from internal combustion engine emissions. In order for students to make regular use of off-campus athletic facilities, such as Davant Park, vehicular transportation involving multiple bus trips would be required each day. Under this alternative, these trips would occur indefinitely. Vehicles would generate localized road dust at their passing but, more importantly, would constitute a long-term source of exhaust emissions, including both criteria pollutants, such as CO<sub>2</sub>, NO<sub>2</sub>, O<sub>3</sub>, and PM<sub>10</sub>, 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 properly maintained.

#### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

The Proposed Action Alternative potentially includes short-term impacts to air quality that are likely to occur during site preparation and construction. Particulate emissions from the generation of fugitive dust during these activities 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 best management practices (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 machinery) could temporarily increase the levels of some of the criteria pollutants, including CO<sub>2</sub>, NO<sub>2</sub>, O<sub>3</sub>, and PM<sub>10</sub>, 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 properly maintained.

### **4.1.3 Climate Change**

#### **4.1.3.1 Regulatory Setting**

A handful of important, non-condensable gases, plus water vapor, significantly contribute to the currently observed warming trend in world climate through the trapping of outbound radiation within the lower atmosphere (troposphere), a phenomenon commonly called the “greenhouse effect.” An increase in the atmospheric concentration of these greenhouse gases (GHGs), beginning with the onset of the Industrial Revolution, has resulted in a global temperature increase of approximately 1.5 °F since 1880. Executive Order (E.O.) 13514, *Federal Leadership*

*in Environmental, Energy, and Economic Performance*, signed on 5 October 2009, directs federal agencies to reduce 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*, which it replaces. 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 (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), sulfur hexafluoride (SF<sub>6</sub>), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs). These GHGs have varying heat-trapping abilities and atmospheric lifetimes (U.S. President 2009). Recent guidance by CEQ also addresses climate change considerations in NEPA evaluations (CEQ 2014). In addition, 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).

E.O. 13653, *Preparing the United States for the Impacts of Climate Change*, was signed on 1 November 2013 (U.S. President 2013). This E.O. was issued with the purpose of preparing “the Nation for the impacts of climate change by undertaking actions to enhance climate preparedness and resilience.” Its main focus is the fostering of cooperation among the federal government and other groups, including state and local governments, as well as tribal, private-sector, and non-profit entities, in order to achieve the E.O.’s stated purpose. Cooperation is to be facilitated through coordinated planning and the adaptation of federal programs to “help safeguard our economy, infrastructure, environment, and natural resources,” in addition to improving climate preparedness and resilience.

One of the specific requirements of E.O. 13653 is that all federal agencies “reform policies and Federal funding programs that may, perhaps unintentionally, increase the vulnerability of natural or built systems, economic sectors, natural resources, or communities to climate change related risks.” In response to this directive, FEMA has begun augmenting its flood risk information to reflect potential sea level rise, considering climate change in hazard mitigation planning, and affording grantees the opportunity to incorporate climate resilience measures in alternate projects (DHS 2013, 2014).

#### ***4.1.3.2 Existing Conditions***

At the writing of this DEA, approximately half of the project site is either sparsely vegetated or lacks vegetation entirely. Areas currently with sparse or no vegetation, including the existing concrete slab, produce negligible GHG emissions, if any, but do not make a positive contribution to the removal of GHGs. The remainder of the site consists of a moderate cover of grasses and forbs, with four (4) large live oak trees also present. Trees provide an important climate function by removing, or sequestering, CO<sub>2</sub> from the atmosphere for long durations. In addition, as part of their photosynthetic process, all plants remove CO<sub>2</sub> from the atmosphere during daylight hours. The specific plant species composition present on the property is covered in more detail in Section 4.4.2 of this DEA.

#### **4.1.3.3 Environmental Consequences**

##### **Alternative 1 – No Action**

The “No Action” alternative would involve no project and, therefore, would cause no short- or long-term increases or reductions in GHG emissions.

##### **Alternative 2 – Utilization of Nearby Existing Athletic Fields**

This alternative would include both short- and long-term increases in GHG emissions, especially CO<sub>2</sub>, from the burning of fossil fuels (diesel) by internal combustion engines. In order for students to make regular use of off-campus athletic facilities, vehicular transportation involving multiple bus trips would be required each day. Under this alternative, these trips would occur indefinitely. GHG emissions could be reduced but not eliminated by keeping vehicular running times to a minimum and maintaining engines properly. In addition, by utilizing hybrid electric buses and/or alternate fuels instead of diesel, GHG emissions could be reduced significantly. GHG emissions from the production and use of water and electricity at Davant Park would increase with Phoenix High School’s use of the park facility, but could be minimized with water-saving sprinklers and energy efficient lighting.

##### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

The Proposed Action Alternative includes short-term GHG emissions that are likely to occur during site preparation and construction. On-site sources of these construction-related emissions would consist primarily of internal combustion engines from vehicles and heavy non-road equipment. The effects would be localized and of short duration, however, and could be minimized by keeping running times for fuel-burning equipment to a minimum and properly maintaining their engines.

Trees provide an important climate function by removing, or sequestering, CO<sub>2</sub> from the atmosphere. For this alternative, due to site size constraints, one (1) of four (4) trees would have to be removed in order to accommodate the proposed baseball field. As a mitigation measure, additional trees potentially could be planted at other locations on the property.

In addition, in order to mitigate emissions from paving activities, the choice of asphalt for construction of the proposed driveway would result in the generation of only one-quarter (¼) of the GHG emissions expected for a comparable section of concrete pavement. Considering long-term maintenance requirements, over a 50-year life-cycle, asphalt pavement generates approximately one-third (⅓) of the GHG emissions of reinforced concrete (Asphalt Pavement Alliance 2010, Chehovits and Galehouse 2010).

GHG emissions from the production and use of water and electricity at Phoenix High School would increase once the new athletic fields come into use; however, as with Davant Park, these emissions could be minimized with water-saving sprinklers and energy efficient lighting. The fields themselves would be natural turf, mechanically sprigged with the “Celebration” variety of Bermuda grass. The question of GHG emissions by natural versus artificial turf is still unresolved in scientific literature. Both surfaces have emissions associated with installation and maintenance, with artificial turf generating more during the manufacturing process, but natural

turf resulting in greater emissions from mowing and fertilizing activities. The issue is unresolvable within the scope of this DEA.

Finally, in keeping with E.O. 13653's mandate to "prepare the Nation for the impacts of climate change by undertaking actions to enhance climate preparedness and resilience," the proposed project will occur within an area surrounded by hurricane protection and river levees. Although no coastal site is immune to the impacts of severe storms, the levee-protected location chosen for the Proposed Action would help make it resistant to future climate change impacts, such as sea level rise.

## **4.2 Water Resources**

### **4.2.1 Wetlands and Waters of the United States**

#### ***4.2.1.1 Regulatory Setting***

##### *4.2.1.1.1 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.

##### *4.2.1.1.2 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 USEPA to issue permits for the point source discharge of pollutants into waters of the U.S. 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.

##### *4.2.1.1.3 Section 404 of the Clean Water Act*

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. Waters of the U.S. are defined in 33 C.F.R. § 328.3 and include a broad scope of surface waters.

Wetlands, a subset of waters of the U.S., 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).

#### *4.2.1.1.4 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.

#### *4.2.1.1.5 Executive Order 11990 – Protection of Wetlands*

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. Part 9, Floodplain Management and Protection of Wetlands (1980).

#### **4.2.1.2 Existing Conditions**

Past human interventions have significantly modified the natural hydrologic regime within Plaquemines Parish. Levees along the Mississippi River now prevent the annual overbank flooding that previously occurred. Instead of the slow sheet flow that formerly occurred through the vast wetland complex adjacent to the river, water from precipitation within the leveed areas is now discharged into the wetlands via pumping stations and floodgates which are part of the channelized 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. 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 (Trahan 2000).

The entire project area has been disturbed through past filling and other construction activities. As a result, there are no navigable waters or other waters of the U.S. present on the tract. In addition, according to the U.S. Fish and Wildlife Service’s (USFWS) National Wetlands Inventory map, there are no wetlands within the project site (*Figure 6*) (USDOI 2016d). The property exhibits no appreciable relief and stormwater runoff evacuates the entire school property via existing drainage and road ditches, which subsequently connect to the internal levee drainage system.

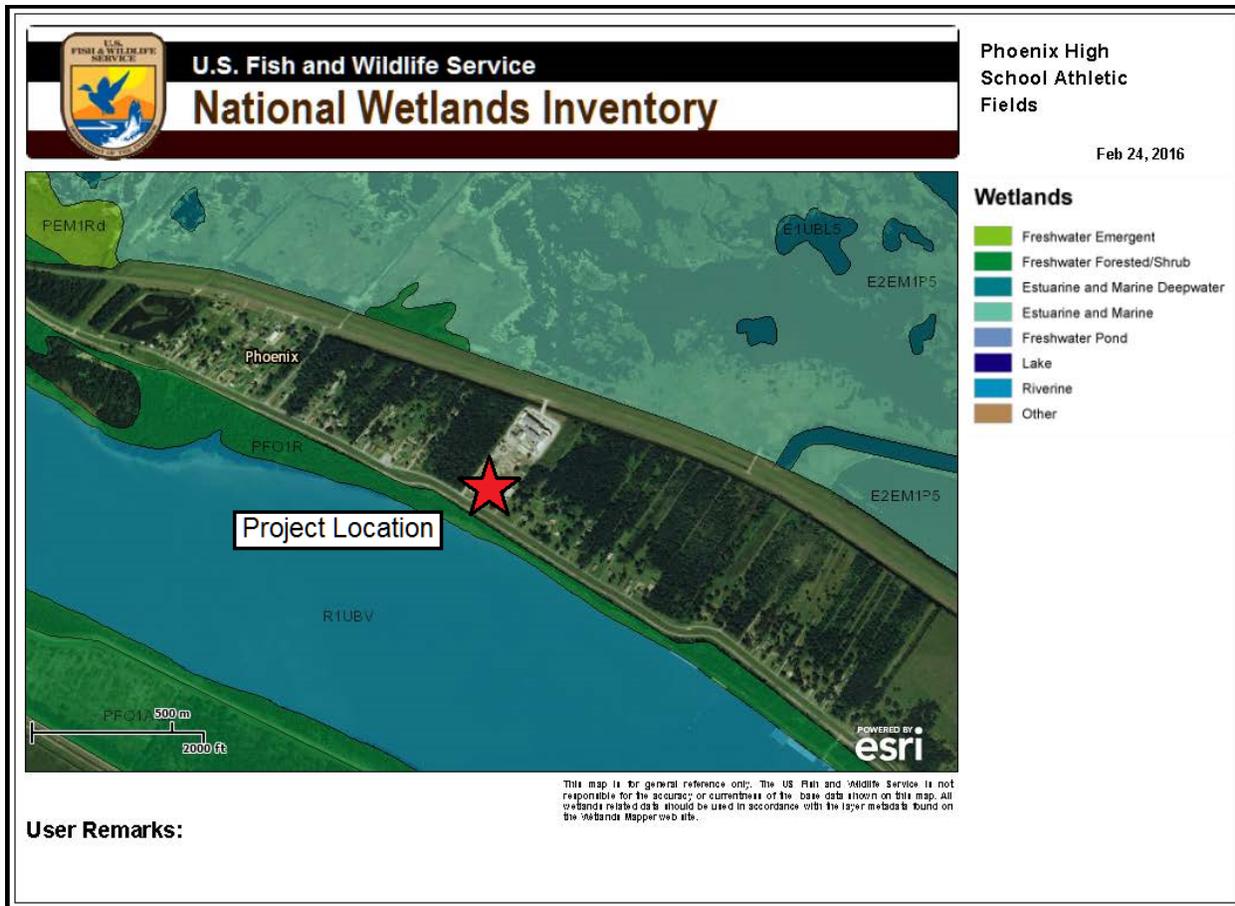


Figure 6 - U. S. Fish and Wildlife Service National Wetlands Inventory map (USDOJ 2016d)

#### 4.2.1.3 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 §§ 401, 402, or 404 of the CWA or § 10 of the RHA.

##### Alternative 2 – Utilization of Nearby Existing Athletic Fields

Similarly, utilization of the existing Davant Park facility would have no impact on wetlands or other waters of the U.S. and would not require permits under §§ 401, 402, or 404 of the CWA or § 10 of the RHA.

##### Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)

In SOVs dated 19 December 2014 and 17 February 2016, FEMA coordinated with state and federal resource agencies (Appendix B). LDEQ replied to the initial SOV on 23 July 2015, subsequently reconfirming its previous transmittal on 17 February 2016 (LDEQ 2016b). Although LDEQ did not object to the project as proposed, it provided a number of general comments, which have been incorporated into Section 7.0 of this DEA, as warranted.

In its undated reply to FEMA's first SOV, the USACE stated they did not anticipate any adverse impacts to Corps of Engineers projects and that the project site is not a wetland subject to USACE jurisdiction (DoA n.d.). No timely comments were received from the USACE in response to FEMA's second SOV. The USEPA, in both its 13 January 2015 and 17 February 2016 replies, stated that their preliminary review did not reveal any potential jurisdictional waters of the U.S. on the project site; therefore, the agency did not object to the project as proposed (USEPA 2015, 2016b). FEMA also has determined that the proposed location is a 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.IX of the Louisiana Environmental Regulatory 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 LPDES stormwater permit.

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 must implement 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.

## **4.2.2 Floodplains**

### **4.2.2.1 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. Part 9, Floodplain Management and Protection of Wetlands (1980).

The Code of Ordinances for the Parish of Plaquemines (Supplement 44 codified through Ordinance No. 14-208, adopted 13 November 2014) adopts the Louisiana State Uniform Construction Code (Louisiana State Uniform Construction Code Council 2016) and all other applicable standards and appendices referenced in that code. More particularly, the Code includes in Chapter 7, Buildings and Building Regulations (known as the Building Code of the Parish of Plaquemines), requirements for the purpose of regulating and governing the conditions and maintenance of all property, buildings, and structures in Plaquemines Parish by providing standards for supplied utilities, facilities, and other physical objects, as well as the conditions essential to ensure that structures are safe, sanitary, and fit for use and occupancy. The Code also includes Chapter 9, Article II, Floodplain Management, whereby regulations are adopted for the following purposes:

- (1) To protect human life and property exposed to the hazards of flooding;
- (2) To insure that potential property owners are notified if property is located in a special flood hazard area;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities, such as water and gas mains, electric, telephone and sewer lines, and streets and bridges located in special flood hazard areas;
- (6) To minimize future expenditures of public funds for costly flood control projects;
- (7) To meet the minimum requirements for local flood plain management regulations as established by the Federal Insurance Administration for participation in the National Flood Insurance Program; and
- (8) To help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas.

In addition, the Findings of Fact in § 9-17 of Chapter 9 states:

There exist within the area of the parish certain areas of special flood hazard subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which may adversely affect the public health, safety and general welfare. These flood losses may be created by the cumulative effect of obstructions in flood plains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are not adequately elevated or otherwise protected from flood damage.

Louisiana R.S. 38:84 requires the adoption of floodplain management regulations for SFHAs, as does the Flood Disaster Protection Act of 1973 and its implementing regulations, in order for the parish to maintain its eligibility to participate in the National Flood Insurance Program (NFIP) and to be able to facilitate the issuance of flood insurance policies for all properties within unincorporated areas. According to § 9-20 of Chapter 9, the article's floodplain management provisions apply to all SFHAs "as delineated on the most recent flood hazard boundary maps and flood insurance rate maps or revision thereto issued by the Federal Insurance Administration, within the unincorporated area of the Parish of Plaquemines, Louisiana."

In keeping with the expressed purposes of the ordinance and to "minimize public harm and private losses" in SFHAs, the Parish of Plaquemines' policy is to:

- (1) Restrict or prohibit uses which are dangerous to health, safety, or property in times of flood, or which cause excessive increase in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including public facilities, which service such uses, to be protected against flood damage at the time of initial construction;

- (3) Control the alteration of natural flood plains, stream channels and natural protective barriers which are involved in the accommodation of flood waters;
- (4) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood damage; and
- (5) Regulate and control development which would cause greater erosion of potential flood damage as a result of grading, dredging or excavation.

The Louisiana State Uniform Construction Code has adopted the International Building Code of 2012 (International Code Council 2011) by reference, excluding Chapters 1, 11, and 27 (Administration, Accessibility, and Electrical, respectively). Instead, these sections have Louisiana-specific codes inserted in place of the International Building Code chapters and are, therefore, also applicable to Plaquemines Parish (R.S. 40:1730.28, as amended).

#### ***4.2.2.2 Existing Conditions***

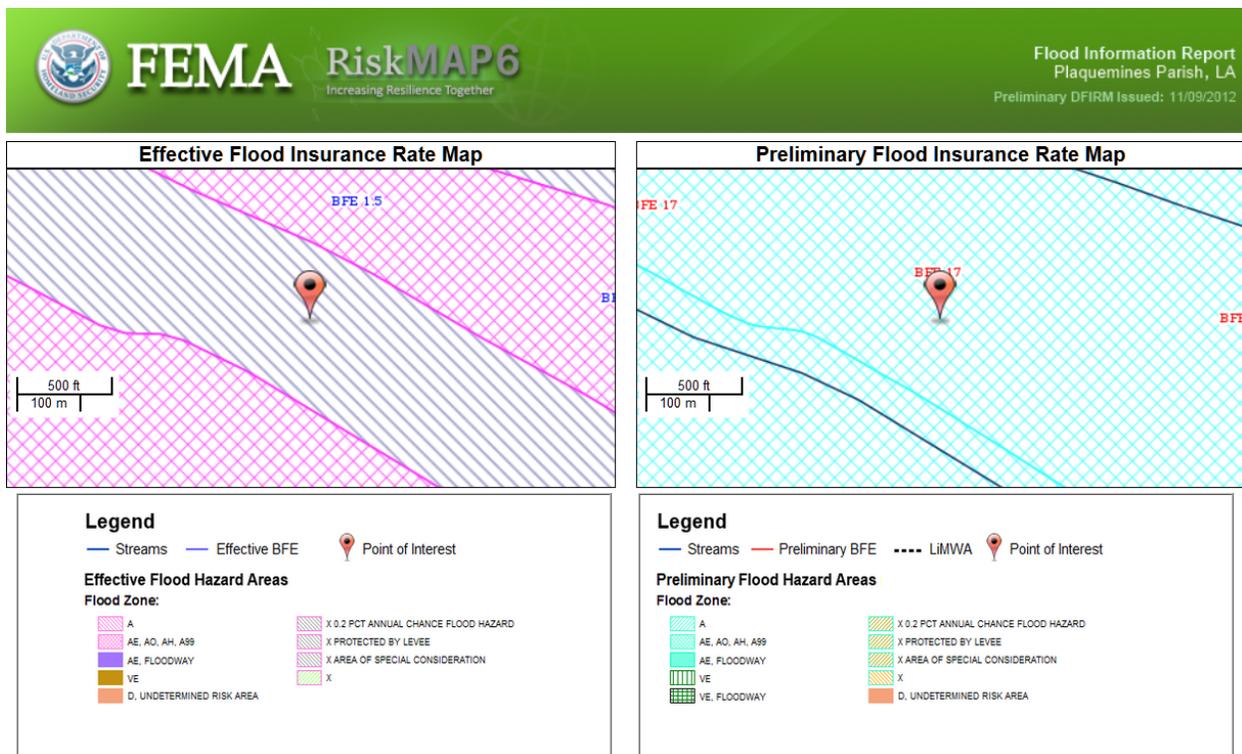
In July 2005, prior to Hurricane Katrina, FEMA initiated a series of flood insurance studies for many of Louisiana's coastal parishes as part of the Flood Map Modernization Effort through FEMA's National Flood Insurance Fund. These studies were necessary because the flood hazard and risk information 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.

Updated preliminary flood hazard maps from an intensive five (5)-year mapping project guided by FEMA subsequently were provided to all Louisiana coastal parishes. These maps, released in early 2008 and 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 2012 FEMA Flood Insurance Study for Plaquemines Parish and the included Revised Preliminary DFIRMs are currently viewed as the best available flood risk data for the parish. 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 NFIP (DHS 2011).

Plaquemines Parish enrolled in the NFIP on 17 January 1985. The effective FIRM Panel 2201390170B dated 1 May 1985, indicates the site is located within Flood Zone “B,” an area levee-protected from the 100-year base flood (*Figure 7*, left pane). Per Revised Preliminary DFIRM Panel Number 22075C0200E dated 9 November 2012, the site is located within Flood Zone “AE,” an area in the base floodplain with a BFE 17 feet above the North American Vertical Datum of 1988 (NAVD88) (*Figure 7*, right pane). Based upon a survey provided with the proposed project plans, ground elevations at the site are approximately 2-4 feet (NAVD88). In compliance with E.O. 11988, an 8-step process was completed and documentation is attached in Appendix C.



**Figure 7 - Effective FIRM Panel Number 2201390170B (left pane, DHS 1985); Revised Preliminary DFIRM Panel Number 22075C0200E (right pane, DHS 2012). Project site labeled as “Point of Interest.”**

#### 4.2.2.3 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**

Under the “No Action” alternative, there would be no construction of replacement baseball and football/soccer fields at Phoenix High School. This course would have no further adverse impacts to the floodplain.

### **Alternative 2 – Utilization of Nearby Existing Athletic Fields**

Alternative 2 was reviewed for possible impacts associated with occupancy or modification to a floodplain. This alternative would entail making use of existing baseball and football/soccer fields at another nearby location. Davant Park is situated approximately 4½ miles east-southeast of Phoenix High School. Due to the previously developed character of the site, impacts to the nature of the floodplain itself have been determined to be negligible. Improvements to the football/soccer field or future repairs to existing structures 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. For the replacement of building contents, material and equipment, 44 C.F.R. § 9.11(d)(9) requires appropriate disaster-proofing of the building and/or elimination of such future losses by relocation of those building contents, materials, and equipment outside or above the base floodplain.

### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

Alternative 3 was also 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 new athletic facilities likely would not affect the functions and values of the 100-year floodplain since they would not impede or redirect flood flows. New construction and mobile units (restrooms and concession stand) must be in accordance with locally adopted building codes, including the floodplain ordinance, which will contribute to minimizing future loss due to flood damage. These facilities must comply with all applicable floodplain management requirements.

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. For the replacement of building contents, material and equipment, 44 C.F.R. § 9.11(d)(9) requires appropriate disaster-proofing of the building and/or elimination of such future losses by relocation of those building contents, materials, and equipment outside or above the base floodplain.

## **4.3 Coastal Resources**

### **4.3.1 Regulatory Setting**

#### ***4.3.1.1 Coastal Zone Management Act of 1972***

The Coastal Zone Management Act (CZMA) (P.L. 92-583, as amended; 16 U.S.C. §§ 1451-1464) 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 provision 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. Included within the coastal zone are 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.

#### ***4.3.1.2 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 concurrently with its review by other federal agencies (USACE, USFWS, and National Marine Fisheries Service [NMFS]). The mechanism employed 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 Resources Program (i.e., LCRP) (LDNR 2016b).

#### ***4.3.1.3 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 2016a).

### **4.3.2 Existing Conditions**

The existing campus is located within the Louisiana Coastal Zone. CUP No. P20100890 was previously issued for construction of the school's new main building. The project site is not located within a regulated CBRS unit.

### **4.3.3 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 – Utilization of Nearby Existing Athletic Fields**

Utilization of the existing athletic fields at Davant Park presumes that all appropriate authorizations or permit exemptions for the park, including a CUP, already have been obtained. Davant Park is not located within a CBRS unit; therefore CBRA requirements do not apply.

#### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (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 9 January 2015 and 29 February 2016 comment letters, LDNR OCM verified that the proposed project is inside the Louisiana Coastal Zone and that a complete CUP Application packet would be required in order to properly evaluate the work (Appendix B). PPSB is responsible for coordinating with LDNR OCM to obtain any new CUP or revision that may be required as a result of this project. LDNR also coordinated with the Louisiana Coastal Protection and Restoration Authority (CPRA), which did not object to the project as proposed (Appendix B). The project site is not located within a CBRS unit; therefore CBRA requirements do not apply. The Grand Prairie Levee District was contacted on 3 March 2016 regarding potential permit requirements for projects in close proximity to regulated levees. No timely reply was received. The Applicant is required to coordinate with the Grand Prairie Levee District for any permits, clearances, or authorizations.

## **4.4 Biological Resources**

### **4.4.1 Federally Protected Species and Critical Habitats**

#### **4.4.1.1 Regulatory Setting**

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 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 either or both Agencies, 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.

#### ***4.4.1.2 Existing Conditions***

Two (2) fish species, the Gulf and pallid sturgeons; five (5) reptiles, the green, hawksbill, Kemp’s ridley, leatherback, and loggerhead sea turtles; two (2) bird species, the piping plover and red knot; and one (1) mammal species, the West Indian manatee, are federally listed as threatened or endangered and are known to occur in Plaquemines Parish (USDOJ 2015b).

Inspections of both the proposed and alternate (Davant Park) sites conducted on 29 February 2016 did not reveal the habitat or presence of any species federally-listed as threatened or endangered. All but two of these species are completely aquatic and would neither be found on nor affected by leveed upland properties such as these. In addition, neither of the sites possesses habitat suitable for the two (2) bird species, which both prefer similar coastal or estuarine sand and tidal flats (USDOJ 2014).

#### ***4.4.1.3 Environmental Consequences***

##### **Alternative 1 – No Action**

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

##### **Alternative 2 – Utilization of Nearby Existing Athletic Fields**

This alternative would have no impact on species federally-listed as threatened or endangered or on federally-listed critical habitats.

### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

FEMA has determined that this alternative will have “No Effect” on federally-protected species or federally-listed critical habitats. Concurrence from the USFWS was received on 6 January 2015 (USFWS 2015a). Based on a review of the proposed action using the USFWS ESA project review website (2016c), “the proposed project is not an activity that would affect a federally listed threatened or endangered species or designated critical habitat. 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.” In addition, in correspondence dated 4 March 2016, the Louisiana Department of Wildlife and Fisheries (LDWF) 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).

#### **4.4.2 Other Biological Resources**

##### **4.4.2.1 Regulatory Setting**

###### *4.4.2.1.1 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.

###### *4.4.2.1.2 Bald and Golden Eagle Protection Act*

The Bald and Golden Eagle Protection Act (16 U.S.C. §§ 668-668d) was enacted in 1940, but has been amended several times subsequently. This Act prohibits the “taking” of bald eagles, including their parts, nests, or eggs, by anyone without a permit issued by the Secretary of the Interior. Within the provisions of the act, “take” is defined as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.” In accordance with 50 C.F.R. § 22.3, “*Disturb* means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior” (*emphasis original*) (Eagle Permits 2007).

In addition to direct impacts, “disturb” also includes:

[I]mpacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal

breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment (USDOJ 2016b).

In Louisiana, bald eagles potentially may be encountered in a number of parishes, including Plaquemines Parish, while golden eagles are known from Madison Parish only (LDWF 2016b).

#### *4.4.2.1.3 Magnuson-Stevens Fishery Conservation and Management Act of 1976*

The Magnuson-Stevens Fishery Conservation and Management Act (P.L. 94-265) was first enacted in 1976 and has since undergone revisions and amendments as the Sustainable Fisheries Act (P.L. 104-297) and the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (P.L. 109-479). The intent of this Act is to conserve “fish off the coasts of the United States, the highly migratory species of the high seas, the species which dwell on or in the Continental Shelf appertaining to the United States, and the anadromous species which spawn in United States rivers or estuaries,” because “these species constitute valuable and renewable natural resources” (USDOC 2007).

The Sustainable Fisheries Act’s 1996 amendments established a new requirement to describe and identify “essential fish habitat” (EFH) in each federal fishery management plan and “ensure the conservation and enhancement of such habitat.” NMFS issued implementing regulations in January 2002. As defined in 50 C.F.R. § 600.10, EFH “means those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” Within this definition, “waters” is clarified to “include aquatic areas and their associated physical, chemical, and biological properties that are used by fish and may include aquatic areas historically used by fish where appropriate.” In addition, “‘substrate’ includes sediment, hard bottom, structures underlying the waters, and associated biological communities,” while “‘necessary’ means the habitat required to support a sustainable fishery and the managed species’ contribution to a healthy ecosystem.” Finally, “spawning, breeding, feeding, or growth to maturity” is intended to represent “a species’ full life cycle” (Essential Fish Habitat 2002).

#### *4.4.2.2 Existing Conditions*

Inspections of the proposed and alternate (Davant Park) sites were conducted on 29 February 2016. Although these parcels are located within the Mississippi Flyway (Mississippi Flyway Council n.d.), both tracts are previously disturbed areas with little value to migratory birds. They would not be included in the USFWS migratory bird management program. Potential habitat for bald eagles (*Haliaeetus leucocephalus*) was observed on wooded properties adjacent to both sites; however, no indication of present or past usage by this species was observed. Because both study sites consist entirely of uplands, no essential fish habitat was present.

Within uplands along the banks of the Mississippi River in Plaquemines Parish, the setting is decidedly rural. At the project site, native vegetation has been removed and the land surface disturbed (as explained in Section 2.0). The southern half of the tract either has been filled or paved. The recent sandy fill material in the center of this area is now dominated by a volunteer stand of black willow (*Salix nigra*) saplings, a wetland species likely brought in as seeds from the original borrow site. There is an elliptically-shaped concrete pad on the southwestern corner of the site, which served as the base of an inflatable dome gymnasium during the period when the temporary modular campus was in place.

Most of the remainder of the site is dominated by Bermuda grass (*Cynodon dactylon*) and vaseygrass (*Paspalum urvillei*). At various locations, there are also abundant patches of white clover (*Trifolium repens*), yellow sweet-clover (*Melilotus officinalis*), and pennywort (*Hydrocotyle bonariensis*). There are a total of four (4) large live oak trees (*Quercus virginiana*) on the project site, two (2) in the northeastern quadrant and two (2) in the southeastern corner of the property. Finally, there is a small, approximately 0.015 acre, depression in the west-central portion of the tract that is dominated by the wetland species, broad-leaf cattail (*Typha latifolia*) and seashore dropseed (*Sporobolus virginicus*). This depression appears to have been incidentally created by past construction activities and likely made wetter by blocked drainage from a fill road. USACE has determined that no jurisdictional wetlands are present on the tract (USACE n.d.); therefore, this depression merits no further consideration.

Plaquemines Parish is home to a number of animals adapted to life in wet, intermediate, and dry conditions. Within the project area, typical species would include mammals such as raccoons (*Procyon lotor*), nine-banded armadillos (*Dasypus novemcinctus*), nutria (*Myocastor coypus*), muskrats (*Ondatra zibethicus*), eastern cottontails (*Sylvilagus floridanus*), white-tailed deer (*Odocoileus virginianus*), 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 also would be expected, including mourning doves (*Zenaidura macroura*), common grackles (*Quiscalus quiscula*), cattle egrets (*Bubulcus ibis*), blue jays (*Cyanocitta cristata*), and cardinals (*Cardinalis cardinalis*) (DoA 2008, Woodlands Conservancy 2013).

#### **4.4.2.3 Environmental Consequences**

##### **Alternative 1 – No Action**

The “No Action” alternative would entail no project and, therefore, would have no impact on migratory birds, bald eagles, or other wildlife.

##### **Alternative 2 – Utilization of Nearby Existing Athletic Fields**

Alternative 2 would not impact bald eagles or other wildlife. Because of the disturbed nature of Davant Park, it would not be included in the USFWS migratory bird management program. No other prohibited actions directed toward migratory birds would be expected.

##### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

The Proposed Action would not adversely affect bald eagles or other wildlife. In addition, because of the disturbed nature of the project site, it would not be included in the USFWS migratory bird management program. No other prohibited actions directed toward migratory birds are anticipated. Further, in its 22 December 2014 reply to FEMA’s 19 December 2014 SOV, NMFS stated that the proposed project “would not adversely impact essential fish habitat or associated marine fishery resources” (USDOC 2014b). Finally, in correspondence dated 4 March 2016, LDWF confirmed that no “state or federal parks, wildlife refuges or scenic streams are known at the specified site within Louisiana's boundaries” (Appendix B).

## **4.5 Cultural Resources**

### **4.5.1 Regulatory Setting**

The consideration of impacts to historic and cultural resources is mandated under § 101(b)(4) of NEPA as implemented by 40 C.F.R. Parts 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, including American Indian Cultural Sites) and allow the Advisory Council on Historic Preservation an opportunity to comment. Additionally, it is the policy of the federal government to consult with Indian Tribal Governments on a Government-to-Government basis as required in E.O. 13175 (U.S. President 2000). FEMA has chosen to address potential impacts to historic properties through the “Section 106 consultation process” of NHPA as implemented through 36 C.F.R. Part 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 (DHS 2009). 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.

### **4.5.2 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, project files, and an archaeological site visit conducted on 8 December 2014 by FEMA Historic Preservation staff. This data was evaluated by FEMA using the National Register Criteria.

#### **4.5.2.1 Archaeology**

On 3 November 2014, FEMA plotted the geographic coordinates of the Phoenix High School location against various data sets, including the NRHP database and certain other resources available from the Louisiana Division of Archaeology’s (LDoA) website, such as the *Louisiana Cultural Resources Map*, the Louisiana Cultural Resources Management Bibliography, LDoA Site Forms, and pertinent site and survey reports regarding previous investigations within one (1) mile of the archaeological APE (LDoA 2016).

FEMA verified that the APE is not located within a listed historic district and that no previously recorded archaeological sites were present within the APE; however, there are four previously recorded archaeological sites within one (1) mile of the present APE. Collectively, these sites confirmed nineteenth (19<sup>th</sup>)- and twentieth (20<sup>th</sup>)-century occupation of the area, with the possibility of eighteenth (18<sup>th</sup>)-century occupation, demonstrating the potential for archaeological deposits that pre-date the sequence of historic maps reviewed (see below). Furthermore, the property is situated within a natural levee formation favorable to both pre-historic and historic use of the APE. Map resources reviewed included the following reference materials: USDA Web Soil Survey, U.S. Geological Survey topographic quadrangle maps, and historic USACE Mississippi River Commission *Survey of the Mississippi River* maps. This review of historic maps revealed that portions of the APE were in-fact developed by at least the late nineteenth (19<sup>th</sup>) century.

The 1848 *La Tourrette's Reference Map of the State of Louisiana*, the earliest detailed map identified that provides coverage of this APE, indicates that the location of the APE was part of a plantation (although the name is illegible on the map). Following the 1848 map, a single structure within the southeastern quadrant of the APE first appeared in the 1883 *Survey of the Mississippi River*. Subsequently, additional ancillary structures appeared in the general vicinity of the original structure on later *Survey of the Mississippi River* maps (circa 1883-1949). Based on the long-term presence of this complex of buildings (a minimum of 66 years), it was determined by FEMA that there was a potential for associated archaeological deposits to exist within the southeastern portion of the present APE. Additionally, based on the historic Mississippi River Commission maps, two additional areas of interest were identified within the APE that were considered to possess archaeological potential: the former location of the original Phoenix School (circa 1935) and the former location of a railroad that ran east to west through the central portion of the APE (circa 1883-1949).

#### **4.5.2.2 Standing Structures**

FEMA Historic Preservation staff consulted the NRHP database and *Louisiana Cultural Resources Map* on 5 December 2014, determining that the APE is not located within a listed or eligible historic district. The 8 December 2014 site visit determined that all of the extant structures within the APE are of recent construction, less than fifty (50) years of age and, therefore, not eligible for listing in the National Register. The surrounding area is rural. Adjacent properties consist of vacant land.

#### **4.5.3 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 – Utilization of Nearby Existing Athletic Fields**

At the present time, the soccer field at the park is currently undergoing improvements to adapt it for dual use as a football pitch, including the addition of bleachers and goalposts. Based on research using the NRHP database, the Louisiana Cultural Resources Map, and agency files,

FEMA has determined that there are multiple previously recorded archaeological sites within the vicinity, both adjoining and falling within the boundaries of the park itself. If FEMA funding were involved for any work at the park, a Phase I archaeological survey would likely be required to identify any presently unrecorded historic resources. FEMA would follow its § 106 review procedures as described above in Section 4.5.1 for any such work. As part of this process, FEMA would not be able to approve funding for activities already accomplished prior to undertaking review.

### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

A review of this alternative was conducted in accordance with FEMA’s Statewide Agreement. The athletic field scope of work at Phoenix High School was originally submitted in a similar configuration as part of a PPSB proposal involving multiple school properties. FEMA conducted a review of historic maps for this undertaking and determined that portions of the APE were developed by at least the late nineteenth (19<sup>th</sup>) century. As a result of this research, a FEMA archaeologist and a SHPO liaison to FEMA conducted an archaeological site visit on 8 December 2014. At the time of this inspection, it was discovered that the location of the original Phoenix School (circa 1935) fell below a large oval cement pad that had recently supported a temporary inflatable dome gymnasium, making the site inaccessible for subsurface testing. The PPSB representative present at the time of the site visit verbally confirmed, however, that the gymnasium pad would be left in-place and would become part of a limestone gravel parking lot. This proposal was subsequently documented in the site plans provided to FEMA for review.

FEMA consulted with the SHPO and affected Tribes regarding the proposed undertaking in a letter dated 13 January 2015 entitled: *Phoenix High School Site Enhancements, 12700 Hwy. 39, Braithwaite, LA, 70040* (Appendix B). Although a limited amount of historic materials were recovered during shovel testing, the deposits identified did not meet the criteria of an archaeological site as defined by LDoA. Based on the aforementioned identification and evaluation, taking into account the Applicant’s assertion that the temporary gymnasium pad would be left in-place, FEMA recommended a finding of “**No Historic Properties Affected**” for this undertaking. FEMA received SHPO concurrence with this determination on 29 January 2015 (Appendix B), along with the following qualification:

We [SHPO] note the area underneath the cement-pad foundation associated with the temporary gymnasium is within the vicinity of the first Phoenix High School (ca. 1935) and the area was unable to be tested archaeologically. The applicant has indicated the existing foundation will remain in place and will be used as a gravel parking area. Should a change in scope of work result in FEMA funding for the removal of the gymnasium foundation or ground-disturbing activity within the foundation location, it might be necessary to test underneath the foundation depending on the construction plans. Based on the results for the shovel testing and visual inspection of the APE, we concur with FEMA it is unlikely that intact archaeological deposits will be impacted by the Undertaking.

**In conclusion, we concur with FEMA’s determination that the Undertaking as described would result in No Historic Properties Affected.** FEMA will notify SHPO

if there is a change in the scope of work, which may result in additional SHPO consultation (*emphasis original*).

Consultation with affected Tribes (the Alabama-Coushatta Tribe of Texas, 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 Muscogee Creek Nation, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, and the Tunica-Biloxi Tribe of Louisiana) was conducted per 36 CFR § 800.2(c)(2)(i)(B). The Jena Band of Choctaw Indians concurred with FEMA's determination on 4 February 2015 and the Choctaw Nation of Oklahoma concurred with FEMA's determination on 10 February 2015 (Appendix B). The remaining Tribes did not object within the regulatory timeframes; therefore, in accordance with Stipulation VIII.E(1) of the Statewide Agreement and 36 C.F.R. § 800.5(c)1, FEMA may proceed with funding the undertaking assuming concurrence. Subsequent to the original SHPO consultation, the work proposed at Phoenix High School underwent some slight modifications; however, FEMA deemed the previous consultation to be adequate to address these changes. The Applicant must comply with the NHPA conditions (Louisiana Unmarked Human Burial Sites Preservation Act and Inadvertent Discovery Clause) described in Section 7.0 below.

## **4.6 Socioeconomic Resources**

### **4.6.1 Environmental Justice**

#### ***4.6.1.1 Regulatory***

E.O. 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, was signed on 11 February 1994 (U.S. President. 1994). This 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.

#### ***4.6.1.2 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 three (3)-mile radius of the proposed project site is composed of 85.6% African-American, 13.3% White, and 1.1% other groups. Of these households, 47.8% have incomes less than \$25,000 per year, with approximately 32.7% of individuals existing below the poverty level. For the 5-year dataset 2010-2014, the U.S. Census Bureau's American Community Survey (USDOC 2014a) estimated median household income over the preceding 12 months for District 1 (east side of Mississippi River) of Plaquemines Parish at \$46,090 (in 2014 inflation-adjusted dollars), with a margin of error of +/- \$12,324.

During the 2012-2013 academic year, Phoenix High School's total enrollment, pre-kindergarten through 12<sup>th</sup> grade, was 224 students. Of this number, 98% were ethnic minorities, primarily African-American, and 83% were economically disadvantaged (U.S. News 2016). During the 2013-2014 school year, enrollment was 221, with 88% disadvantaged (LDoE 2014). Similarly,

during the 2014-2015 academic year, enrollment was 222, with 91% disadvantaged (LDoE 2015).

#### **4.6.1.3 Environmental Consequences**

The nearby community of Phoenix, approximately three-fourths ( $\frac{3}{4}$ ) mile west-northwest of the school, was founded in 1810 and settled by former slaves. Phoenix was severely damaged in Hurricanes Flossie (1956), Betsy (1965), and most recently, Katrina (2005), which destroyed more than 90% of the homes in town. Nevertheless, the community has once again rebuilt and today remains a fishing community with a largely African-American population. The reopening of the temporary campus at Phoenix High School in 2006 was instrumental in bringing young families back to the area after Hurricane Katrina. As such, the school plays an important role in the life of the community (Friedman 2007, Edwards 2010).

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? Yes
- Is the impact adverse? No
- Is the impact disproportionate? No
- Has an action been undertaken without considerable input by the affected low-income and/or minority community? No

#### **Alternative 1 – No Action**

The “No Action” alternative would not involve the implementation of a federal program, policy, or activity. Under this alternative, the current situation would be maintained. There would be no construction of replacement baseball and football/soccer fields at Phoenix High School. The school’s sports teams would be deprived of nearby fields on which to practice or host competing teams and the physical education programs of all age groups would be less effective.

#### **Alternative 2 – Utilization of Nearby Existing Athletic Fields**

Davant Park is located approximately  $5\frac{1}{4}$  miles from the town of Phoenix. Although there would be no disproportionately high adverse effects on low-income or minority populations with this alternative, it would forego the potential benefits of a new recreational facility for the local community. Additional discussion surrounding this issue is presented in Section 4.6.4.

#### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

The Proposed Action Alternative would provide many positive benefits for the students at Phoenix High School, who are primarily from low-income and minority families, including better physical and mental health, improved academics, and better teamwork and cooperation (Chen n.d., 2015) (also see Section 2.0). In addition, the location of the proposed athletic facilities at the school’s campus also would potentially provide recreational opportunities for the local community. As a result, with this alternative there would be no adverse impacts to any population.

## **4.6.2 Hazardous Material**

### **4.6.2.1 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. § 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.

### **4.6.2.2 Existing Conditions**

USEPA and LDEQ database searches for the proposed project site revealed that there are no known hazardous waste or leaking underground storage tank sites located on or in close proximity to Phoenix High School. No sites of concern were found on or within one-half (½) mile of the proposed project area during a review of LDEQ’s Voluntary Remediation Program/Brownfields Initiative database, as well as its Electronic Document Management System database for other hazardous waste management and disposal, solid waste disposal, enforcement, or related activities. There are no recorded active oil or gas wells within one (1) mile of the project area; however, there are two (2) registered active water wells within this same radius. The project tract itself has no record or indication of past or present hazardous waste activities (LDEQ 2016a, 2016c; USEPA 2016c, 2016d).

### **4.6.2.3 Environmental Consequences**

#### **Alternative 1 – No Action**

The “No Action” alternative would not disturb any hazardous materials or create any additional hazards to human health.

#### **Alternative 2 – Utilization of Nearby Existing Athletic Fields**

An agency database review of the Davant Park vicinity did not reveal any record of nearby hazardous materials, wastes, or substances, including contaminated soil or groundwater. As a result, making use of existing athletic facilities at this location would not disturb any known hazardous materials.

#### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

On 19 December 2014 and 17 February 2016, FEMA coordinated with state and federal resource agencies through SOVs (Appendix B). LDEQ replied to the initial SOV on 23 July 2015, subsequently reconfirming its previous transmittal on 17 February 2016 (LDEQ 2016). Although LDEQ did not object to the project as proposed, it provided a number of general comments, which have been incorporated into Section 7.0 of this DEA, as warranted.

As with the Davant Park site, findings indicate that no hazardous materials, wastes, or substances, including contaminated soil or groundwater, appear to be present within the Phoenix High School project area. Any hazardous constituents unexpectedly encountered at the site during construction operations would require that appropriate measures for the proper assessment, remediation, and management of the contamination be initiated in accordance with applicable federal, state, and local rules and regulations. In replies to FEMA’s two (2) SOVs for this project, LDEQ stated that it did not object to the project as proposed, but provided a number of general comments, which have been incorporated into Section 7.0 of this DEA, as warranted.

Project construction at the school 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 must be followed; appropriate measures to prevent, minimize, and control spills of hazardous materials taken; and any generated hazardous or non-hazardous wastes disposed of in accordance with applicable federal, state, and local requirements.

### **4.6.3 Noise**

#### **4.6.3.1 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.

Plaquemines Parish’s Noise Ordinance (Chapter 17, Article IX) places restrictions on any source of sound exceeding the maximum permissible sound level based on the time of day and the land use category within which the sound is received. For example, specific restrictions are placed on sounds from musical instruments (such as marching bands) from 7:00 a.m. to 10:00 p.m. (60-75 dBA for residential and 50-65 dBA for multi-family dwellings, with a reduction of 5 dBA during the late night-early morning period). In addition, the use of loudspeakers, loudspeaker systems, sound amplifiers, and other similar devices is prohibited between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and between 10:00 p.m. and 10:00 a.m. on weekends and holidays. No exemptions exist for sounds exceeding these values, such as temporary construction activities (Plaquemines Parish Commission Council 2014).

#### ***4.6.3.2 Existing Conditions***

Both Phoenix High School and Davant Park would be classified as “public space” according to the Plaquemines Parish noise ordinance currently in effect. A public space is “any real property or structure thereon owned by a governmental entity and normally accessible to the public, including, but not limited to parks and other recreational areas.” Public space is subject to the same restrictions as the residential land use category (Plaquemines Parish Commission Council 2014).

#### ***4.6.3.3 Environmental Consequences***

##### **Alternative 1 – No Action**

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

##### **Alternative 2 – Utilization of Nearby Existing Athletic Fields**

Under this alternative, no noise from new construction would be generated; however, the increased daily use of Davant Park by school children would increase noise levels to some extent. It is unlikely this increase would exceed noise ordinance criteria, however. On the other hand, use of the park for organized athletic competitions, such as high school football games, could exceed permissible limits. The nearest residence to the park is a distance of approximately 125 feet. Noise generated by marching bands and loudspeakers could potentially disturb this homeowner.

##### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

For the Proposed Action Alternative, construction activities would result in short-term increases in noise during site preparation and development. In addition, daily use of the completed athletic complex by school children, as well as its use for periodic organized sporting events, also would cause increased noise levels within the surrounding area. Equipment and machinery utilized on

the project during construction would be expected to meet all local, state, and federal noise regulations, as would subsequent use of the area for physical education and athletics. The nearest residence to the site is approximately 250 feet away, or twice the distance of the nearest dwelling under Alternative 2 above. Consequently, there would be less potential for disturbing nearby neighbors under the Proposed Action Alternative.

#### **4.6.4 Public Health and Safety**

##### **4.6.4.1 Background**

A considerable number of health and safety laws and regulations exist for a wide variety of activities. An exhaustive review of these various rules is beyond the scope of this DEA; therefore, only those most germane will be examined in this document. Although not regulatory in nature, the U.S. Department of Health and Human Services (2008) established guidelines for the minimum physical activity needed to “improve overall health and to reduce the risk of many health problems.” Some of this report’s findings include:

- Some physical activity is better than none.
- For most health outcomes, additional benefits occur as the amount of physical activity increases through higher intensity, greater frequency, and/or longer duration.
- Both aerobic (endurance) and muscle-strengthening (resistance) physical activity are beneficial.
- Health benefits occur for children and adolescents, young and middle-aged adults, older adults, and those in every studied racial and ethnic group.
- The benefits of physical activity far outweigh the possibility of adverse outcomes.

With particular regard to children and adolescents, physically active youth have stronger bones and muscles, better cardiorespiratory fitness, and lower body fat than their inactive peers. In addition, they may have reduced instances of anxiety and depression. Regularly active youth generally have a better chance of a healthy adulthood. In order to meet these physical activity guidelines, the U.S. Centers for Disease Control (2014) recommend that both children and adolescents receive at least 60 minutes of age-appropriate moderate- to vigorous-intensity physical activity per day, with vigorous, muscle-strengthening, and bone-strengthening activities occurring at least three (3) times per week.

At the state level, LDoE’s *Physical Education Handbook* sets grade-level expectations for school students in Louisiana. Two (2) of these standards, “Exhibits a physically active lifestyle,” and “Achieves and maintains a health-enhancing level of physical fitness,” recognize both the short- and long-term health benefits of physical activity. Louisiana R.S. 17:17 (2004) also codifies the state legislature’s finding that “regular physical activity and healthy eating habits can contribute to the protection from cardiovascular disease, diabetes, and other chronic diseases; reduce symptoms of depression and anxiety; help control weight; and help build and maintain healthy bones, muscles and joints.” PPSB’s school wellness policy (2006) commits to provide “a variety of fitness training, motor skills, and teamwork modules in the 270 hours of physical education required at the high school level for graduation.” Governmental entities at the national, state,

and local levels all agree that physical activity is essential for the health of children and adolescents.

With regard to safety, the Policy section of E.O. 13045, *Protection of Children from Environmental Health Risks and Safety Risks*, acknowledges that “children’s size and weight may diminish their protection from standard safety features; and children’s behavior patterns may make them more susceptible to accidents because they are less able to protect themselves” (U.S. President 1997). As a result, extra precautions must be taken when dealing with activities involving children.

According to PPSB policy (2010), the transportation of school children must be done via school bus; the use of vans to transport students to and from school-related activities is prohibited. School bus drivers must have a valid Commercial Driver’s License, pass state-sponsored training, and meet the requirements found in LDoE’s *School Transportation Handbook*, Bulletin 1191 (n.d.). As part of their duties, bus drivers are responsible for the safety of the school children they transport, including advising the students of relevant safety requirements. In addition, in accordance with PPSB’s policy, buses must not be older than 25 years and must receive safety inspections at least twice per year. Buses also must meet the applicable federal and state motor vehicle standards in effect on the date the bus was manufactured.

#### ***4.6.4.2 Existing Conditions***

At the present time, the project site is a partially-fenced vacant field, essentially as it was left when the temporary campus was removed. Only one set of bleachers and a concrete slab from the inflatable dome gymnasium remain. During FEMA’s 29 February 2016 site inspection, no obvious health or safety hazards were observed.

#### ***4.6.4.3 Environmental Consequences***

##### **Alternative 1 – No Action**

Under the “No Action” alternative there would be no new project and the existing site conditions would remain. Any unknown health or safety concerns would remain to be discovered.

##### **Alternative 2 – Utilization of Nearby Existing Athletic Fields**

Under this alternative, children would have to be driven by school bus to Davant Park on a daily basis in order to participate in certain athletic activities. Time needed for loading, unloading, and transport of students for physical education classes would add at least 30 minutes to the school day, with transport for after school athletic practices demanding an additional 30 minutes each day during sports seasons. This additional time requirement during the school day would decrease the amount of remaining time children have available for other, non-school-related activities. In addition, the loading, unloading, and transport of different age-groups of students multiple times during the day would increase the potential for mishaps, including falls and traffic accidents. Louisiana R.S. 33:1324 (2011) does allow local political divisions to make agreements for the use of recreational and educational facilities; however, Davant Park is unfenced and has unrestricted access by the general public, so its use by students on a daily basis likely would present potential safety and security concerns by parents.

### **Alternative 3 – Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)**

For the Proposed Action Alternative, construction activities would result in short-term safety concerns for the students due to on-site heavy equipment and other vehicles entering and exiting the campus. 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 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).

Studies have shown that there is a significant health benefit to a school's neighbors when it shares recreational facilities with the local community. If allowed by PPSB, construction of the proposed athletic fields would make after-hours recreational opportunities available within walking distance of the nearby town of Phoenix. Privately-owned exercise facilities are not available and Davant Park is too far for most people to reach by walking. Due to the spiraling obesity rate among adults and children, easily-accessible options for physical activity are becoming increasingly important. People who have nearby parks or other opportunities for recreation exercise 38% more than those without easy access to such amenities. Although some schools express concerns about liability and increased costs associated with maintenance and security, shared-use agreements can minimize these risks and provide a positive influence on the neighboring community (Public Health Law and Policy 2010, American Heart Association 2012).

## 5.0 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 13073 Highway 15, east-southeast of the community of Phoenix, near the southern edge of the 70040 zip code geographic region. FEMA has determined that the area within a one- (1)-mile radius of the site constitutes an appropriate project impact zone. Due to the site’s rural setting and its position near the zip code boundary, use of the territory contained within the 70040 zip code perimeter was not appropriate for a cumulative impact investigation of the proposed action and alternatives. Instead, a three- (3)-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.

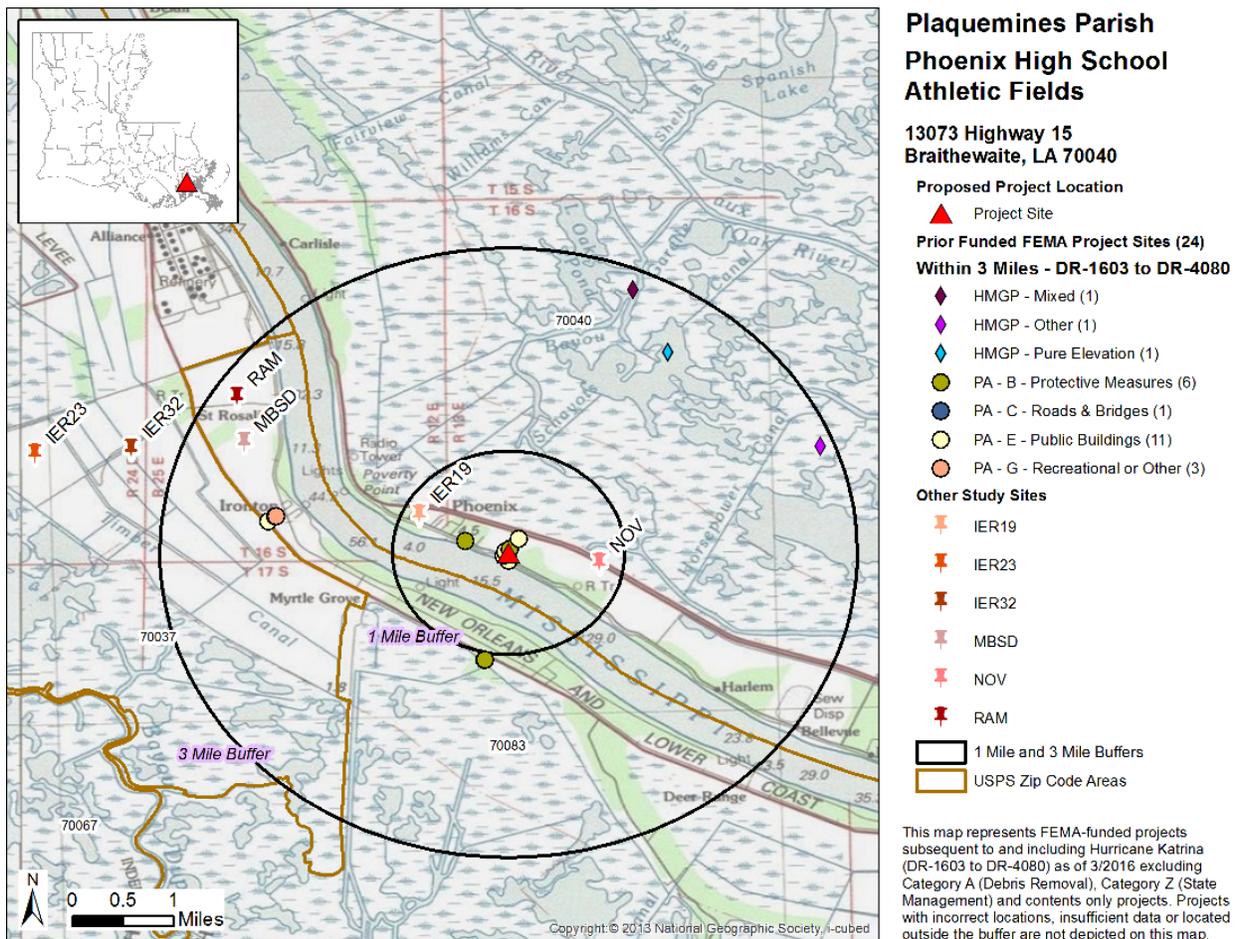
From August 2005 continuing through March 2016, approximately three (3) FEMA hazard mitigation-program-funded projects and 21 PA-program-funded emergency protective measure and repair projects have occurred, are occurring, or are reasonably foreseen to occur to buildings, recreational and educational facilities, infrastructure, and watercourses within a three- (3)-mile radius of the proposed project (*Figure 8*). FEMA’s Hazard Mitigation Program is authorized under § 404 of the Stafford Act and funds measures “which substantially reduce the risk of future damage, hardship, loss, or suffering in any area affected by a major disaster.”

FEMA-funded PA activities are divided into seven (7) categories, four (4) of which are represented within the subject three- (3)-mile radius: Category B – emergency protective measures, Category C – roads and bridges, Category E – public buildings, and Category G – recreational or other. The percentage for each type of project based on numbers is as follows: Hazard Mitigation – 12.5%, Category B – 25.0%, Category C – 4.2%, Category E – 45.8%, and Category G – 12.5%. 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 deficiency which can result in the loss of federal assistance, including funding.

*Table 1* 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 three (3)-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.

As identified in *Table 1*, the cumulative effect of these present, past, and reasonably foreseeable future undertakings is not anticipated to result in a significant impact to any resource. The building replacement projects described aim to restore the function of pre-existing facilities, with minimal impacts to the natural and human environment. Projects related to USACE efforts to

improve the levee protection system of Plaquemines Parish 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 2011a, 2011b). With respect to the remaining new construction projects, the RAM Terminals facility would be required to mitigate any wetland impacts associated with project development in accordance with their USACE permit, while the Mid-Barataria Sediment Diversion will evaluate appropriate environmental mitigation during the NEPA review process. Finally, the elevation of existing structures under FEMA’s Hazard Mitigation Program would be beneficial to affected homeowners by reducing future flood losses and would not contribute to cumulative impacts.



**Figure 8 - FEMA-funded and other projects occurring within a three-mile radius around the proposed project site**

**Table 1 - Projects that May Have the Potential to Contribute to Cumulative Impacts**

<b>Project Name / Status</b>	<b>Lead Agency</b>	<b>Location</b>	<b>Description</b>	<b>Cumulative Impact</b>	<b>Rationale</b>
<b>Phoenix High School / complete</b>	FEMA	13073 Highway 15, Braithwaite, LA 70040	Construction of temporary classrooms; demolition and relocation of main school building	Less than significant	Temporary classrooms now removed; previously existing main building replaced, with elevation at or above BFE; minor impact on proposed action due to past site disturbance
<b>Hazard Mitigation Program / ongoing</b>	FEMA	Parishwide, with five (5) primary and two (2) alternate sites within three (3) miles of proposed project	Elevation of 99 private residences to an elevation at or above BFE	None known	Elevation of structures would reduce impacts from flooding; no effect on proposed action
<b>Sheriff's Office Firing Range / incomplete</b>	FEMA	18038 Highway 23, Myrtle Grove, LA 70037	Demolition, consolidation, and replacement of five (5) structures at existing facility	None known	Consolidation of multiple buildings into one (1) structure, with elevation to V-Zone criteria; no impact on proposed action
<b>RAM Terminals Coal Export Facility / incomplete (On 23 December 2014, Parish District Court suspended CUP issued for project)</b>	Private	16111 Highway 23, Myrtle Grove, LA 70037 ("RAM" on <i>Figure 8</i> )	Construction of a new coal export terminal and wharf on approximately 150 acres of a 600+-acre tract	Negligible	Adverse impacts to wetlands required compensatory mitigation, but are significantly different from those of the currently proposed action; no similar resources associated with proposed action; no impact on proposed action even if built

<b>Project Name / Status</b>	<b>Lead Agency</b>	<b>Location</b>	<b>Description</b>	<b>Cumulative Impact</b>	<b>Rationale</b>
<b>Mid-Barataria Sediment Diversion / design stage (National Fish and Wildlife Foundation 2015)</b>	CPRA (funded via Deep-water Horizon Spill settlement)	Coordinates: Latitude 29.65839°, Longitude -89.96803° (“MBSD”)	Construction of a Mississippi River sediment diversion channel for marsh replenishment	None known	Channel is on west side of river; diversion of river flow has potential to reduce downstream flooding, a positive impact on proposed action
<b>Pre-Approved Contractor Furnished Borrow Material Site for the Greater New Orleans Hurricane and Storm Damage Risk Reduction System - Individual Environmental Report #19 (DoA 2008) / site already used</b>	USACE	Coordinates: Latitude 29.64802°, Longitude -89.94303° (“IER19”)	Borrow area for federal levee project in New Orleans, LA. Site appears already to have been used, refilled, and graded.	Negligible	Borrow site already refilled to original ground level; no impact on proposed action
<b>New Orleans to Venice, Louisiana, Hurricane Risk Reduction Project: Incorporation of Non-Federal Levees from Oakville to St. Jude – FEIS (DoA 2011a) / ongoing</b>	USACE	Beginning south of Belle Chasse, LA, and extending a distance of approximately 35 miles to the southeast, paralleling the Mississippi River on its west side, up to one (1) mile distant from the bank	Replacement, modification, or construction of hurricane protection back levees on the river’s west bank	Less than significant	Adverse impacts to wetlands required compensatory mitigation, but are significantly different from those of the currently proposed action; no similar resources associated with proposed action; no impact on proposed action

<b>Project Name / Status</b>	<b>Lead Agency</b>	<b>Location</b>	<b>Description</b>	<b>Cumulative Impact</b>	<b>Rationale</b>
<b>New Orleans to Venice, Louisiana, Federal Hurricane Protection Levee – FSEIS (DoA 2011b) / ongoing</b>	USACE	Beginning at the southeastern end of the Non-Federal Levee project at St. Jude (referenced immediately above), extending approximately 35 miles to Venice, LA, on the west bank (both river and back levees); plus, on the east bank, 16 miles of back levees beginning immediately north of Phoenix, LA, and extending to the southeast (“NOV”)	Levee enlargement and installation of floodgates and flap-gated culverts	Less than significant	Adverse impacts to wetlands required compensatory mitigation, but are significantly different from those in the currently proposed action; no similar resources associated with proposed action; positive impact on proposed action due to increased flood protection

## **6.0 AGENCY COORDINATION AND PUBLIC INVOLVEMENT**

The public is invited to comment on the proposed action. A legal notice will be published on three (3) consecutive Tuesdays, 3, 10, and 17 May 2016, in *The Plaquemines Gazette*, the journal of record for Plaquemines Parish. Additionally, the Draft Environmental Assessment will be made available for review at (1) the Davant Community Center, 15535 Highway 15, Braithwaite (Davant), LA 70040 and (2) the Belle Chasse Branch Library, 8442 Highway 23, Belle Chasse, LA 70037. Further, there will be a 15-day comment period, beginning on Wednesday, 18 May and concluding on Thursday, 2 June 2016, at 4:00 p.m. The document also has been published on FEMA's websites. A copy of the Public Notice is attached in Appendix D.

The state and federal agencies consulted were:

Grand Prairie Levee District

Louisiana Department of Environmental Quality

Louisiana Department of Natural Resources

Louisiana Department of Wildlife and Fisheries

Louisiana State Historic Preservation Office

National Marine Fisheries Service

Natural Resources Conservation Service

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

## 7.0 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, 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 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.

Based upon the studies, reviews, and consultations undertaken in this DEA, several conditions must be met and mitigation measures taken by PPSB 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.
- 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 Office of Coastal Management'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.
- 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)(3), there shall be no new construction or substantial improvement of structures unless the lowest floor of the structures (including basement) is at or above the level of the base flood. Furthermore, 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. The Applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and Applicant compliance with any conditions should be documented and copies forwarded to the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP) and FEMA for inclusion in the permanent project files. Per 44 CFR § 9.11(d)(9), for the replacement of building contents, materials, and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials, and equipment outside or above the base floodplain.
- Unusable equipment, debris, and material shall be disposed of in an approved manner and location. The Applicant must 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.
- Should any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents be encountered during execution of the project, notification to LDEQ's Single-Point-of-Contact (SPOC) at (225) 219-3640 is required. Appropriate measures for the proper assessment, remediation, management, and disposal of the contamination must be initiated in accordance with applicable federal, state, and local regulations. The contractor is required to take appropriate actions to prevent, minimize, and control the spill of hazardous materials at the proposed site. Additionally, precautions must be taken to protect workers from these hazardous constituents.
- 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 worker exposure regulations covered within 29 C.F.R. Parts 1910 and 1926.
- The Applicant is required to coordinate with the Grand Prairie Levee District for any required permits, clearances, or authorizations.

- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present within the project area, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The Applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four (24) hours of the discovery. The Applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two (72) hours of the discovery.
- Inadvertent Discovery Clause: If during the course of work, archaeological artifacts (prehistoric or historic) are discovered, the Applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The Applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The Applicant will not proceed with work until FEMA HP completes consultation with the SHPO, and others as appropriate.

## **8.0 LIST OF PREPARERS**

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## 9.2 Federal and State Laws

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*Comprehensive Environmental Response, Compensation, and Liability Act. Statutes at large.* 1980. Vol. 94, secs. 101-308, 2767; as amended through 31 December 2002; available from <http://www.epw.senate.gov/cercla.pdf>; Internet; accessed 29 May 2015.

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*Migratory Bird Treaty Act of 1918. Statutes at large.* 1918. Vol. 40, secs. 1-13, 755, as amended; available from <http://legisworks.org/sal/40/stats/STATUTE-40-Pg755a.pdf>. Summary available from <https://www.fws.gov/laws/lawsdigest/migtrea.html>; Internet; accessed 10 March 2016.

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*Noise Control Act of 1972. Statutes at large.* 1972. Vol. 86, secs. 1-19, 1234; available from <http://www.gpo.gov/fdsys/pkg/STATUTE-86/pdf/STATUTE-86-Pg1234.pdf>; Internet; accessed 29 May 2015.

*Resource Conservation and Recovery Act. Statutes at large.* 1976. Vol. 90, secs. 1-4, 2795; as amended through 31 December 2002 available from <http://www.epw.senate.gov/rcra.pdf>; Internet; accessed 29 May 2015.

*Rivers and Harbors Act of 1899. Statutes at large.* 1899. Vol. 30, secs. 1-22, 1121; available from <http://legisworks.org/sal/30/stats/STATUTE-30-Pg1121.pdf>; Internet; accessed 9 March 2016.

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*State and Local Coastal Resources Management Act of 1978. Louisiana State Legislature.* 1978. No. 361, R.S. 49, sec. 214.21; available from <http://www.legis.la.gov/Legis/Law.aspx?d=103626>; Internet; accessed 29 May 2015.

*Superfund Amendments and Reauthorization Act. Statutes at large.* 1986. Vol. 100, secs. 1-531, 1613; available from <http://www.gpo.gov/fdsys/pkg/STATUTE-100/pdf/STATUTE-100-Pg1613.pdf>; Internet; accessed 29 May 2015.

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## **Appendix A**

### **Proposed Site Plan**



## **Appendix B**

### **Agency Correspondence**



December 19, 2014

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 scope of work and drawings correspond to a proposed project for which FEMA funding has been requested.

On August 29, 2005 the intense tidal surge from Hurricane Katrina resulted in extensive damage to the Phoenix K -12 School. The applicant is proposing an alternate/ improved project for the Phoenix K-12 school. The applicant is proposing to build a football field and baseball field behind the newly constructed Phoenix K-12 School in Braithwaite, LA located in Plaquemines Parish. The scope of work includes but is not limited to site improvements such as ball field lights, two (2) field goal posts, fence, signage, scoreboard, electrical components, bleachers, dugouts, parking lots, paving and walk ways and supporting buildings.

To ensure compliance with the National Environmental Policy Act (NEPA), Executive Orders (EOs), and other applicable Federal regulations, we will be preparing an Environmental Assessment (EA). To assist us in preparation of the EA, we request 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 faxed to (225) 346-5848, emailed to [emanuel.ross@fema.dhs.gov](mailto:emanuel.ross@fema.dhs.gov), or mailed to the attention of Emanuel Ross, Environmental Department, at the address above.

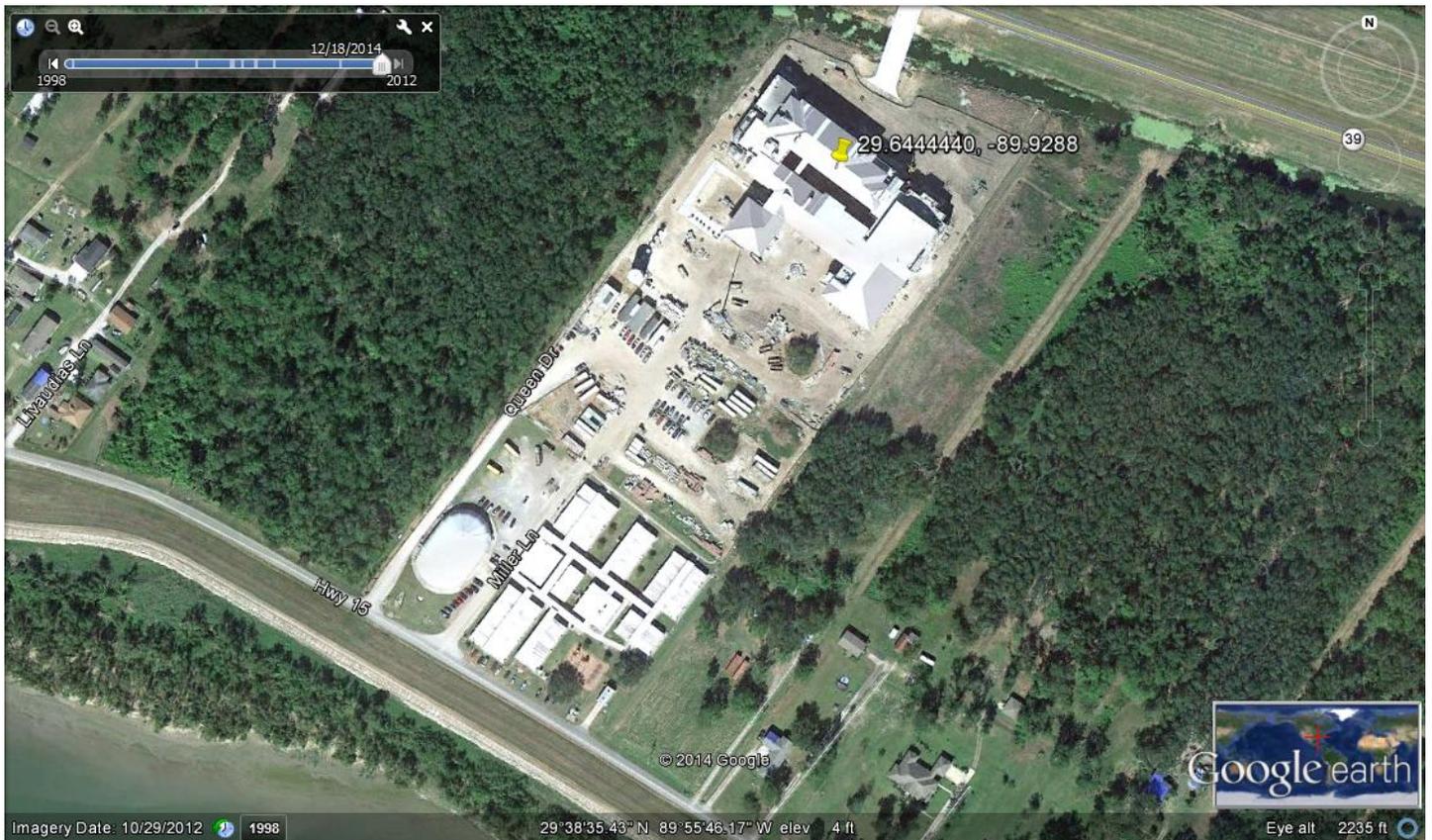
For questions regarding this matter, please contact Emanuel Ross, Environmental Protection Specialist at (504) 256-1898.

Tiffany Spann-Winfield  
Deputy Environmental Liaison Officer

Distribution: LDEQ, USEPA, LDWF, LDNR, USACE

## Scope of work:

Hurricane Katrina caused substantial damage to the applicant's original facility, Phoenix K-12 School, located at 12700 Highway 39 Braithwaite, LA 70040 (29.644440, -89.9288). Plaquemines Parish School Board, the applicant, is requesting to construct a football field and baseball field behind the newly constructed building located on even (7) acres of land in Braithwaite, LA in Plaquemines Parish. The four (4) corner coordinates of the proposed area are (29.64235, -89.931394), (29.641647, -89.930219), (29.643506, -89.928669), (29.644108, -89.92995). The scope of work the comprises of site improvements, including but not limited to, two (2) field goal posts, field lights, electrical equipment, signage, fencing, parking lots, paving and walkways, bleachers, dugouts, and supporting buildings. The applicant had previously installed temporary facilities on the proposed area. All except for buildings 1 & 2 have since been demolished. These two (2) structures would be converted to permanent support buildings for the ball fields. Below is an aerial map showing the site when temporary facilities were in place (10/29/12) and a site plan is attached.





**DEPARTMENT OF THE ARMY**  
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO  
ATTENTION OF

Operations Division  
Operations Manager,  
Completed Works

Mr. Emanuel Ross III  
Federal Emergency Management Agency  
1100 Robert E. Lee Boulevard  
New Orleans, Louisiana 70124

Dear Mr. Ross:

This is in response to the Solicitation of Views request dated December 19, 2014, concerning the construction of a new football field and baseball field behind the new Phoenix K-12 school, at Braithwaite, Louisiana, in Plaquemines Parish.

We have reviewed your request for potential Department of the Army regulatory requirements and impacts on any Department of the Army projects.

We do not anticipate any adverse impacts to any Corps of Engineers projects.

Based on review of recent maps, aerial photography, soils data, and a previous determination, we have determined that the specific site of your project is not in a wetland subject to Corps of Engineers' jurisdiction. A Department of the Army permit under Section 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on the project sites.

Please be advised that this property is in the Louisiana Coastal Zone and a Coastal Use Permit may be required prior to initiation of any activities on this site. For additional information, contact Ms. Christine Charrier, Office of Coastal Management, Louisiana Department of Natural Resources at (225) 342 7953.

You and your client are advised that this approved jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revision prior to the expiration date or the District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

Please contact Mr. Robert Heffner, of our Regulatory Branch by telephone at (504) 862-1288, or by e-mail at [Robert.A.Heffner@usace.army.mil](mailto:Robert.A.Heffner@usace.army.mil) for questions concerning

wetlands determinations or need for on-site evaluations. Questions concerning regulatory permit requirements may be addressed to Mr. Michael Farabee by telephone at (504) 862-2292 or by email at Michael.V.Farabee@usace.army.mil.

Future correspondence concerning this matter should reference our account number MVN-2010-01937-1-SB. This will allow us to more easily locate records of previous correspondence, and thus provide a quicker response.

Sincerely,

A handwritten signature in black ink that reads "Karen L. Clement". The signature is written in a cursive, flowing style.

Karen L. Clement  
Solicitation of Views Manager

Copy Furnished:

Ms. Christine Charrier  
Coastal Zone Management  
Department of Natural Resources  
Post Office Box 44487  
Baton Rouge, Louisiana 70804-4487

---

**From:**  
**Sent:**  
**To:**  
**Subject:**

Emanuel - Based on our knowledge of the project area and understanding of the proposed construction activities, activities described in the attachments to your email would not adversely impact essential fish habitat or associated marine fishery resources. As such, we have no comments on activities or resources to be described in a NEPA document. We appreciate your consultation efforts.

Richard Hartman, Fishery Biologist  
NOAA's National Marine Fisheries Service



December 22, 2014

Environmental Department  
U.S. Dept. of Homeland Security  
Federal Emergency Management Agency

**Attn: Emanuel Ross**  
FEMA-DR 1603/1607 LA  
Louisiana Recovery Office  
1500 Main Street  
Baton Rouge, Louisiana 70802

RE: Consultation for Phoenix High School

Dear Mr. Ross:

I have reviewed the above referenced project for potential requirements of the Farmland Protection Policy Act (FPPA) and potential impact to Natural Resources Conservation Service projects in the immediate vicinity.

Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a federal agency or with assistance from a federal agency. For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements can be forest land, pastureland, cropland, or other land, but not water or urban built-up land.

The project map and narrative submitted with your request indicates that the proposed construction areas are within urban and /or built-up areas and therefore are exempt from the rules and regulations of the Farmland Protection Policy Act (FPPA)—Subtitle I of Title XV, Section 1539-1549. Attached is completed form AD-1006, Farmland Conversion Impact Rating. Furthermore, we do not predict impacts to NRCS work in the vicinity.

For specific information about the soils found in the project area, please visit our Web Soil Survey at the following location: <http://websoilsurvey.nrcs.usda.gov/>

Please direct all future correspondence to me at the address shown above.

Respectfully,

A handwritten signature in blue ink that reads "Kevin D. Norton".

Kevin D. Norton  
State Conservationist

Attachment

U.S. Department of Agriculture

<b>PART I</b> (To be completed by Federal Agency)	Date Of Land Evaluation Request <b>12/19/2014</b>	
Name of Project <b>Phoenix K -12 School</b>	Federal Agency Involved <b>FEMA</b>	
Proposed Land Use <b>Athletic ball fields/ parking lots</b>	County and State <b>Plaquemines Parish, Louisiana</b>	
<b>PART II</b> (To be completed by NRCS)	Date Request Received By NRCS <b>12/22/2014</b>	Person Completing Form: <b>M. Lindsey</b>

	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
			<b>12/22/2014</b>

<b>PART III</b> (To be completed by Federal Agency)	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	4.4			
B. Total Acres To Be Converted Indirectly	2.4			
C. Total Acres In Site	6.8			

<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>	Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use	(15)				
2. Perimeter In Non-urban Use	(10)				
3. Percent Of Site Being Farmed	(20)				
4. Protection Provided By State and Local Government	(20)				
5. Distance From Urban Built-up Area	(15)				
6. Distance To Urban Support Services	(15)				
7. Size Of Present Farm Unit Compared To Average	(10)				
8. Creation Of Non-farmable Farmland	(10)				
9. Availability Of Farm Support Services	(5)				
10. On-Farm Investments	(20)				
11. Effects Of Conversion On Farm Support Services	(10)				
12. Compatibility With Existing Agricultural Use	(10)				
<b>TOTAL SITE ASSESSMENT POINTS</b>	160	0	0	0	0

<b>PART VII</b> (To be completed by Federal Agency)		Site A	Site B	Site C	Site D
Relative Value Of Farmland (From Part V)	100	0	0	0	0
Total Site Assessment (From Part VI above or local site assessment)	160	0	0	0	0
<b>TOTAL POINTS (Total of above 2 lines)</b>	260	0	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used?
		YES <input type="checkbox"/> NO <input type="checkbox"/>

Reason For Selection:

---

Name of Federal agency representative completing this form:	Date:
---	-------

(See Instructions on reverse side)

## STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map), or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

## INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

*(For Federal Agency)*

**Part I:** When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

**Part III:** When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

**Part VI:** Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.



Trahan, Amy <amy\_trahan@fws.gov>

# Consultation for Phoenix K-12 School

1 message

**Ross, Emanuel** <emanuel.ross@fema.dhs.gov> Fri, Dec 19, 2014 at 1:34 PM  
 To: "Michele.lindsey@la.usda.gov" <Michele.lindsey@la.usda.gov>, "Amy.E.Powell@usace.army.mil" <Amy.E.Powell@usace.army.mil>, "gutierrez.raul@epa.gov" <gutierrez.raul@epa.gov>, "Linda.Harday@la.gov" <Linda.Harday@la.gov>, "richard.Hartman@noaa.gov" <richard.Hartman@noaa.gov>, "amy\_trahan@fws.gov" <amy\_trahan@fws.gov>, "keith.lovell@la.gov" <keith.lovell@la.gov>, "jeff.harris@la.gov" <jeff.harris@la.gov>, "cmichon@wlf.la.gov" <cmichon@wlf.la.gov>  
 Cc: "Pitts, Melanie" <melanie.pitts@fema.dhs.gov>, "Spann, Tiffany" <Tiffany.Spann@fema.dhs.gov>

This project has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed,  
 Will have no effect on those resources  
 Is not likely to adversely affect those resources.  
 This finding fulfills the requirements under Section 7(a)(2) of the Act.

*Michele A. Sullivan*  
 Acting Supervisor  
 Louisiana Field Office  
 U.S. Fish and Wildlife Service  
 Date: Jan 6, 2015

U.S. Department of Homeland Security  
 Federal Emergency Management Agency  
 FEMA-DR 1603/1607 LA  
 Louisiana Recovery Office  
 1500 Main Street  
 Baton Rouge, LA 70802



December 19, 2014

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.



State of Louisiana  
DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF COASTAL MANAGEMENT

01/09/2015

FEMA  
1100 ROBERT E. LEE BLVD  
NEW ORLEANS, LA 70124

**RE: P20150010, Solicitation of Views  
FEMA**

**Description:** Construction of a football field and baseball field behind the newly constructed Phoenix K-12 School. The scope of the work includes but is not limited to site improvements such as ball field lights, two (2) field goal posts, fence, signage, scoreboard, electrical components, bleachers, dugouts, parking lots, paving and walk ways and supporting buildings.

**Location:** Lat. 29° 38' 32.46" N / Long. 89° 55' 53.01" W; Phoenix K-12 School, 12700 Highway 39, Braithwaite, LA 70070

**Plaquemines Parish, LA**

Dear Emanuel Ross:

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
- Master Plan Projects: Upper Breton Diversion
- Grand Prairie Levee District

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 Stephanie Zumo at (225) 342-7272 or [stephanie.zumo@la.gov](mailto:stephanie.zumo@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/sz**

Attachments

**P20150010, Solicitation of Views**  
**FEMA**  
**01/09/2015**  
**Page 3**

**Final Plats:**

1) [P20150010](#)    [Final Plats](#)    [01/06/2015](#)

cc: Johan Forsman w/plats  
Jessica Diez, OCM w/plats  
Frank Cole, CMD/FI w/plats  
Plaquemines Parish w/plats

---

**From:**  
**Sent:**  
**To:**  
**Subject:**

**Importance:**

Emanuel,

The U.S. Environmental Protection Agency (EPA) has completed your request for a review of the scoping notification and solicitation of views concerning the Phoenix K-12 School in Braithwaite, Louisiana. 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)*.

At this time, the EPA does not object to the project as our preliminary review did not reveal any potential jurisdictional waters of the U.S. on the proposed site. 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 at [Gutierrez.raul@epa.gov](mailto:Gutierrez.raul@epa.gov) or 214-665-6697.

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



FEMA

U.S. Department of Homeland Security  
Federal Emergency Management Agency  
FEMA-1603/1607-DR-LA  
FEMA Louisiana Recovery Office  
Environmental/Historic Preservation  
1500 Main Street  
Baton Rouge, LA 70802

January 13, 2015

Pam Breaux  
State Historic Preservation Officer  
Department of Culture, Recreation & Tourism  
P.O. Box 44247  
Baton Rouge LA 70804

RE: Section 106 Review Consultation, Hurricanes Katrina and Rita  
*Undertaking:* Phoenix High School Site Enhancements (A/I 2045), 12700 Hwy. 39,  
Braithwaite, LA, 70040 (-89.929553; 29.643426)  
*Applicant:* Plaquemines Parish School Board  
*Determination:* **No Historic Properties Affected**

Dear Ms. Breaux:

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 Declaration:

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

FEMA, through its Public Assistance Program, proposes to fund Category G Site Enhancements (Undertaking) at the Phoenix High School (PHS) as requested by Plaquemines Parish School Board (PPSB; Applicant). FEMA is initiating Section 106 review for the above referenced properties in accordance with 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" executed on August 17, 2009 and amended on July 22, 2011 (2009 Statewide PA as amended) and providing the State Historic Preservation Office with the opportunity to consult on the proposed Undertaking. Documentation in this letter is consistent with the requirements in 36 CFR §800.11(d).

### **Description of the Undertaking**

The Applicant proposes to construct new playing fields (football and baseball), associated facilities, and general site improvements at PHS that includes: construction staging activities, new lighting and signage, new sidewalks, new gravel parking lots and new handicap accessible parking spaces, repair/grading of gravel roadways and asphalt surfacing of existing right of ways, infilling, grading, and surfacing for new playing fields (football and baseball), the construction of new aluminum bleachers, and the conversion of two (2) temporary classroom facilities into permanent facilities. A

7.5 USGS map of the undertaking location is presented in Figure 1. Plans for the proposed new site enhancements are attached (Figure 3).

### **Area of Potential Effects (APE)**

In accordance with Stipulation VIII.A of the *2009 Statewide PA as amended*, the APEs for both standing structures and archaeology were developed by FEMA in consultation with SHPO staff on December 19, 2014. The Standing Structures APE encompasses the entire PHS grounds (Figure 2; Figure 3). The Archaeological APE (Figure 2) is based on the design plans submitted by the applicant (Figure 3) and measures 8.41 acres (3.4 hectares); however, much of this area has been recently constructed upon. A Topographic Quadrangle Map showing the area surrounding PHS is included as Figure 1 and a map depicting the Standing Structures/Archaeological APE and shovel test locations is included as Figure 2.

### **Historic Property Identification and Evaluation Efforts**

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, project files, and an archaeological site visit conducted on December 8, 2014 by FEMA Historic Preservation staff. This data was evaluated by FEMA using the National Register (NR) Criteria. A photo of the APE is attached to this document (Figure 4).

#### *Standing Structures*

FEMA Historic Preservation Staff consulted the National Register of Historic Places (NRHP) database and the Louisiana Cultural Resources Map on December 15, 2014 and determined that the APE is not located within a listed or eligible historic district. A site visit carried out on December 8, 2014 determined that all of the extant structures within the APE are of recent construction, less than fifty (50) years of age and, therefore, not eligible for listing in the National Register. The surrounding area is rural. Adjacent properties are composed of vacant land.

#### *Archaeology*

On November 03, 2014, FEMA plotted the latitudes and longitudes of the PHS location against various data sets: the NRHP database, the *Louisiana Cultural Resources Map* provided by SHPO, and historic maps. FEMA re-verified that the APE is not located within a listed historic district and that no previously recorded archaeological sites fall within the APE. However, there are four previously recorded archaeological sites within 1-mile of the present APE (Figure 1). 16PL146 (Phoenix Cemetery) is located 312 meters (1023-ft) to the west of the APE; the Griffin Site (16PL143) is located 0.2-mi (0.32 km) to the east, Sophie Plantation (16PL104) is located 0.8-mi (1.2 km) to the west, and the Gravolet Canal Site (16PL142) is located 0.9-mi (1.4 km) to the west. Collectively, these sites demonstrate 19<sup>th</sup>-and 20<sup>th</sup>-century occupation in the area, with the possibility of 18<sup>th</sup>-century occupation, demonstrating the potential for archaeological deposits that pre-date the sequence of historic maps reviewed. Furthermore, the property is situated within a natural levee formation favorable to both pre-historic and historical use of the APE. Additionally, FEMA reviewed all previous related consultations and project files. This review confirmed that FEMA previously consulted on undertakings at PHS on September 18, 2007. The APE for the previous consultation is larger than the current consultation and was defined as "Phoenix High School." In the previous consultation FEMA determined that the demolition of the Phoenix High School building and construction of a new gymnasium would result in a finding of "No Historic Properties Affected" based on several factors, one being that the "historic map research indicates no

historic development between 1883 and 1955 when the main classroom building was constructed.” FEMA received SHPO concurrence with this finding on September 28, 2007.

However, in reviewing the current undertaking, it became clear that the previous APE was miss-plotted on historic maps. As such, FEMA conducted a supplemental review of historic U.S. Army Corps of Engineers (USACOE), Mississippi River Commission (MRC), *Survey of the Mississippi River* maps. The current review of historic maps for the APE revealed that portions of the APE were in-fact developed by at least the late-19<sup>th</sup>-century. The 1848 *La Tourette's reference map of the state of Louisiana*, the earliest detailed map identified that provides coverage of this APE, indicates that by this time the present APE location was formerly incorporated into a plantation (name illegible on map). Following the 1848 map, a single structure first appears within the southeastern quadrant of the APE in the 1883 *Survey of the Mississippi River* (Site Visit Memo Figure 4) followed by additional ancillary structures appearing in the general vicinity of the original structure on subsequent *Survey of the Mississippi River* maps (ca. 1883-1949; Site Visit Memo Figures 4-7). Based on the long-term presence of this complex of buildings (a minimum of 66 years of occupation), it was determined by FEMA that there was the potential for associated archaeological deposits to exist within the southeastern portion of the present APE. Additionally, based on historic MRC maps, two additional areas of interest were identified within the APE that were considered to possess archaeological potential; the former location of the original Phoenix School (ca. 1935), and the former location of a railroad that ran east to west through the central portion of the APE (ca. 1883-1949).

Based on the available evidence, the primary period of historic significance for potential archaeological deposits within this APE likely spanned the period of time encompassing the following LA SHPO management units (Smith et al. 1983): *Antebellum Louisiana* 1803-1860, *War and Aftermath* 1800-1890, and *Industrialization and Modernization* 1890-1940, up until the present time (i.e., the late-20<sup>th</sup>-century). At the present-time information regarding the pre-19<sup>th</sup>-century and/or indigenous occupation of the APE is largely unknown. In addition to the aforementioned background research, FEMA archaeologist Jeremiah Kaplan and SHPO liaison to FEMA, Andrea White, conducted an archaeological site visit on 12/08/2014 (see attached Site Visit Memo). Although a limited amount of historic materials were recovered during shovel testing, the deposits identified did not meet the criteria of an archaeological site as is defined at the LA Division of Archaeology webpage (<http://www.crt.state.la.us>).

### **Assessment of Effects**

Based on the aforementioned identification and evaluation, FEMA has determined that there are no historic properties as defined in 36 CFR 800.16(l) within the APE, at this time. Therefore, FEMA has determined a finding of **No Historic Properties Affected** for this Undertaking and is submitting this Undertaking to you for your review and comment. Should any elements of the Scope Of Work Change, FEMA will re-consult. Additionally, FEMA will utilize standard conditions related to Archaeological Discoveries and to the Louisiana Unmarked Burial Sites Act. FEMA requests your comments within 15 days.

We look forward to your concurrence with this determination. Should you have any questions or need additional information regarding this Undertaking, please contact me at (504) 247-7771 or [jerame.cramer@fema.dhs.gov](mailto:jerame.cramer@fema.dhs.gov), or Kathryn Wollan, Lead Historic Preservation Specialist at (504)

289-1941 or [kathryn.wollan@fema.dhs.gov](mailto:kathryn.wollan@fema.dhs.gov) Jason Emery, Lead Historic Preservation Specialist at (504) 570-7292 or [jason.emery@fema.dhs.gov](mailto:jason.emery@fema.dhs.gov).

Sincerely,

Jeramé J. Cramer  
Environmental Liaison Officer  
FEMA-DR-1603-LA, FEMA-DR-1607-LA

CC: File  
Division of Archaeology Reviewer  
Division of Historic Preservation Reviewer  
State Historic Preservation Office

Enclosures

The Division of Archaeology Reviewer concurs with the finding of **No Historic Properties Affected**, as a result of this Undertaking.

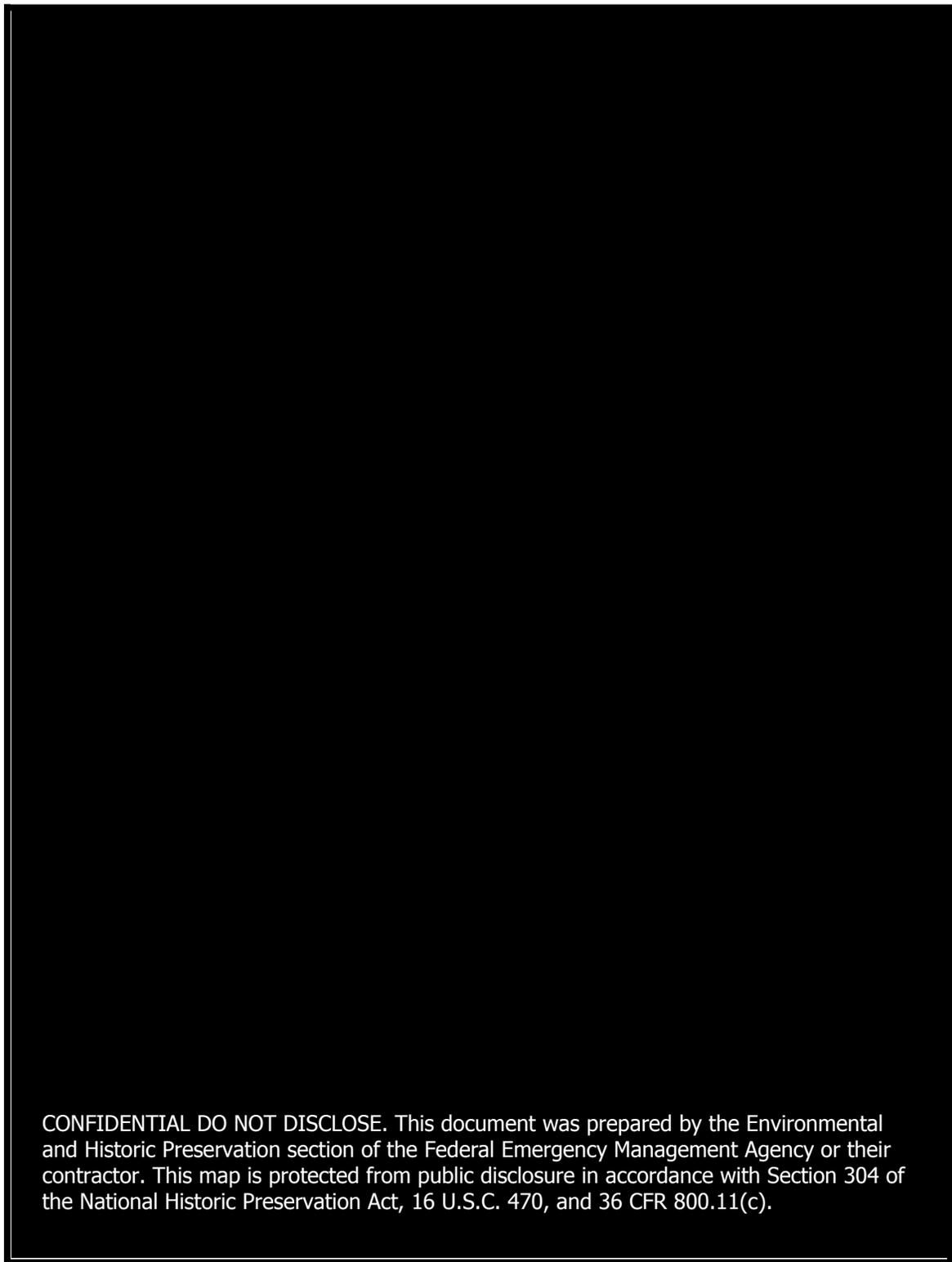
\_\_\_\_\_  
Division of Archaeology Reviewer

\_\_\_\_\_  
Date

The Division of Historic Preservation Reviewer concurs with the finding of **No Historic Properties Affected**, as a result of this Undertaking.

\_\_\_\_\_  
Division of Historic Preservation Reviewer

\_\_\_\_\_  
Date



**Figure 1. 1:2400 USGS Quad Map displaying Phoenix High School site. 12700 Hwy. 39, Braithwaite, LA, Standing Structures/Archaeological APE, existing LA SHPO Site Polygon boundaries, and NRHD Historic Districts.**

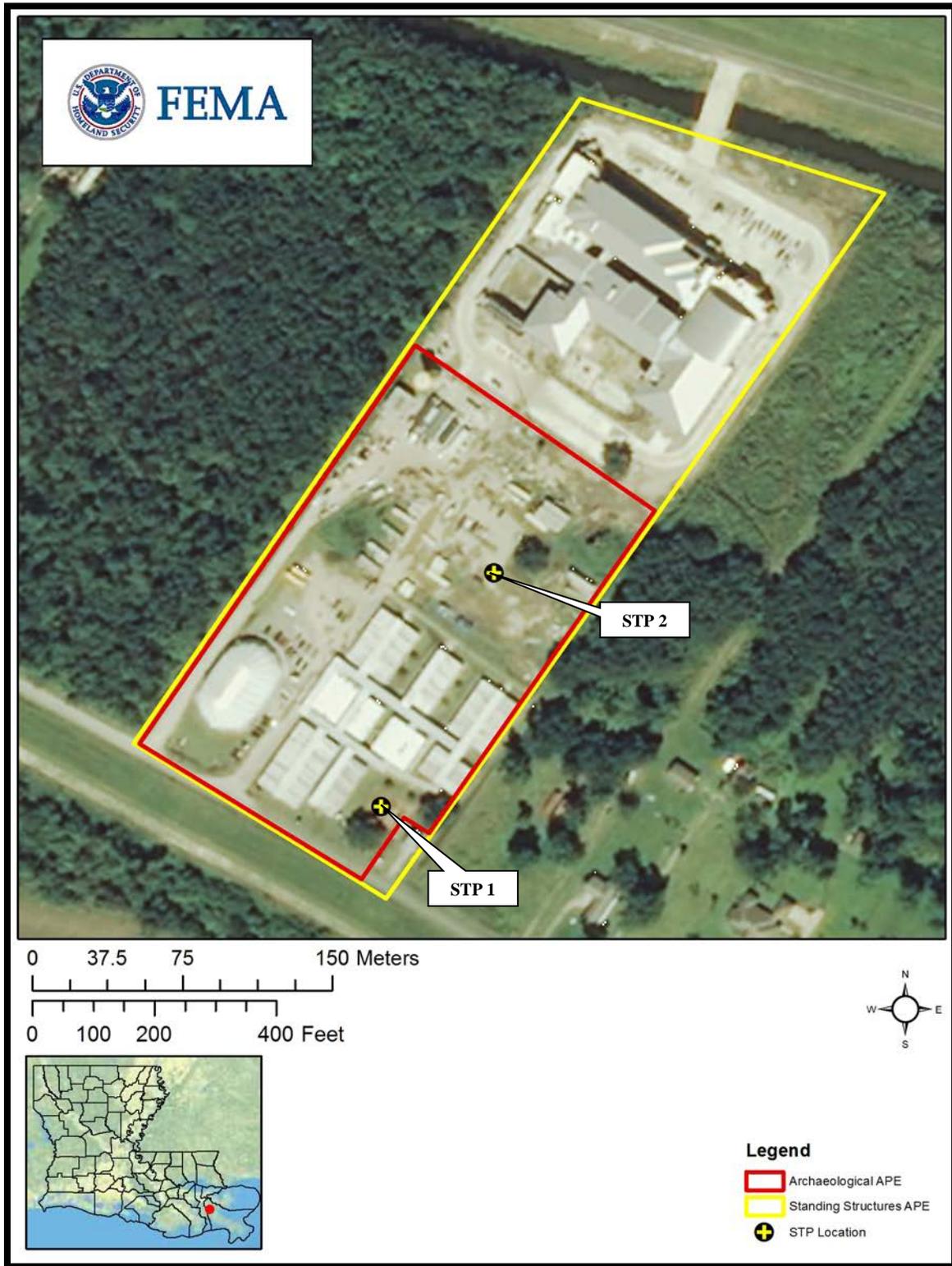


Figure 2. Satellite imagery displaying Phoenix High School site, 12700 Hwy. 39, Braithwaite, LA, APEs and shovel test locations.

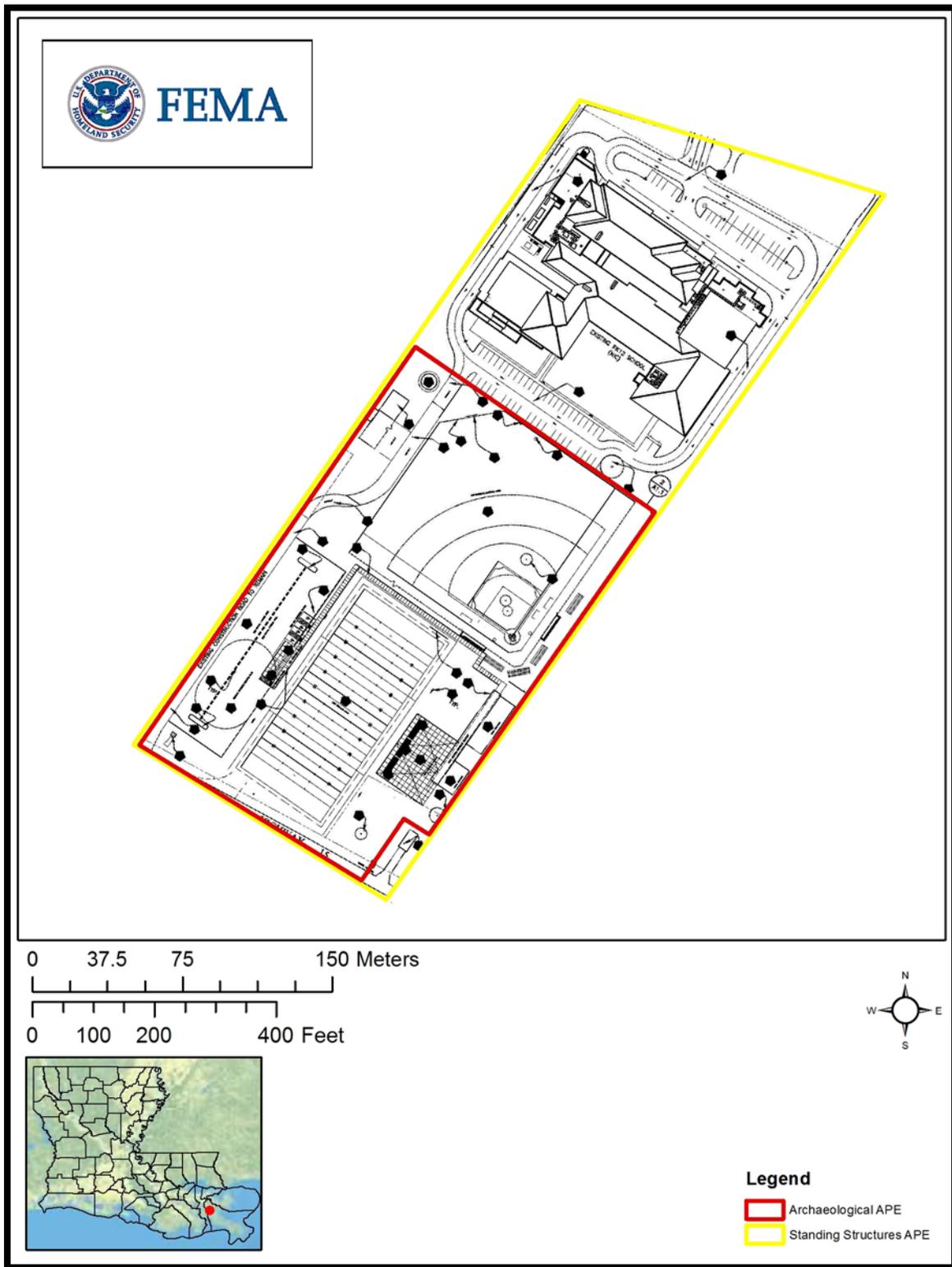


Figure 3. Excerpt from Partial Site Plan dated 06/20/2014, submitted to FEMA on 09/17/2014, Phoenix High School Site Enhancements, 12700 Hwy. 39, Braithwaite, LA depicting APEs.



**Figure 4.**View of Standing Structures APE, facing northeast.



JAY DARDENNE  
LIEUTENANT GOVERNOR

**State of Louisiana**  
OFFICE OF THE LIEUTENANT GOVERNOR  
DEPARTMENT OF CULTURE, RECREATION & TOURISM  
OFFICE OF CULTURAL DEVELOPMENT

CHARLES R. DAVIS  
DEPUTY SECRETARY

PAM BREAU  
ASSISTANT SECRETARY

January 29, 2015

Mr. Jeramé Cramer  
Environmental Liaison Officer  
Federal Emergency Management Agency  
1500 Main St.  
Baton Rouge, LA 70802

**RE:** Section 106 Review Consultation, Hurricane Katrina, FEMA-1603-DR-LA  
**Applicant:** Plaquemines Parish School Board Phoenix High School Site  
**Undertaking:** Phoenix High School Site Enhancements (A/I 2045), 12700 Hwy. 39,  
Braithwaite, LA, 70040  
**Determination:** No Historic Properties Affected

Dear Mr. Cramer:

Thank you for your letter dated January 13, 2015 and received January 15, 2015 regarding the above-referenced project. We understand 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 a major Disaster Declaration designated as FEMA-1603-DR-LA, and dated August 29, 2005, as amended. Furthermore, we understand FEMA, through its Public Assistance Program, proposes to fund site enhancements to Phoenix High School located at 12700 Hwy. 39 in Braithwaite, Plaquemines Parish (Undertaking) as requested by Plaquemines Parish School Board.

Compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, is in accordance with 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*, executed on August 17, 2009 and amended on July 22, 2011 (2009 Statewide PA as amended).

Mr. Jeramé Cramer

January 29, 2015

Page 2

According to your letter, the scope of work includes construction of new playing fields (football and baseball), associated facilities, and general site improvements. This work includes: construction staging activities; new lighting, signage and sidewalks; new gravel parking lots and new handicap accessible parking space; repair/grading of gravel roadways and asphalt surfacing of existing right of ways; infilling, grading, and surfacing for new playing fields (football and baseball); the construction of new aluminum bleachers; and the conversion of two temporary classroom facilities into permanent facilities. Our review is based primarily on your letter of January 13, 2015 and site visit memo dated December 8, 2014.

We agree the Area of Potential Effects (APE) for standing structures includes the entire Phoenix High School campus. The archaeological APE measures 8.41 acres and takes into account all ground-disturbing activities including staging, and site preparation. Both APEs are shown in Figure 2 of your letter.

We understand the APE is not located within a historic district eligible for or listed in the National Register of Historic Places (NRHP). Furthermore, all of the buildings within the APE are less than fifty years of age.

Regarding archaeological review, we understand FEMA performed standard background review utilizing the requisite Louisiana Division of Archaeology (Division), FEMA Cultural Resources Maps, and other applicable source data to determine historical land-use conditions within the APE. There are four previously recorded archaeological sites within one mile of the APE. We assume none of the four sites have been evaluated for their eligibility for listing in the NRHP, though none will be affected by the current Undertaking. Based on the proximity to the Mississippi River and natural levee, the archaeological APE is situated within an area of high archaeological potential. However, we understand there has been multiple subsurface impacts to the majority of the site associated with the demolition of the former Phoenix High School (i.e., the second school; ca. 1961-2006), the installation of a temporary school facility, and the construction of the new Phoenix High School (i.e., the third school, ca. 2011).

To understand the nature of any potential archaeological deposits within the APE, on December 8, 2015, a FEMA archaeologist and the FEMA/SHPO liaison excavated two shovel tests. Testing recovered a limited amount of historical material from Shovel Test 1, but not enough material to result in an archaeological site designation. The results from Shovel Test 2 and a visual inspection of portions of the APE indicated large areas of disturbance related to the various construction and demolition episodes. However, we note the area underneath the cement-pad foundation associated with the temporary gymnasium is within the vicinity of the first Phoenix High School (ca. 1935) and the area was unable to be tested archaeologically. The applicant has indicated the existing foundation will remain in place and will be used as a gravel parking area. Should a change in the scope of work result in FEMA funding for the removal of the gymnasium foundation or ground-disturbing activity within the foundation location, it might be necessary to test underneath the foundation depending on the construction plans. Based on the results for the shovel testing

Mr. Jeramé Cramer  
January 29, 2015  
Page 3

and visual inspection of the APE, we concur with FEMA it is unlikely that intact archaeological deposits will be impacted by the Undertaking.

**In conclusion, we concur with FEMA's determination that the Undertaking as described would result in No Historic Properties Affected.** FEMA will notify SHPO if there is a change in the scope of work, which may result in additional SHPO consultation. For more information, please contact Andrea White at (504) 491-1071, [andrea.white@associates.fema.dhs.gov](mailto:andrea.white@associates.fema.dhs.gov), or Sherry Anderson at (504) 875-1252, [sherry.anderson@associates.dhs.gov](mailto:sherry.anderson@associates.dhs.gov).

Sincerely,



Pam Breaux  
State Historic Preservation Officer

PB: aw/sas

**From:** [Cramer, Jerame](#)  
**To:** [Emery, Jason](#); [Jones, Gwendolyn](#); [Kaplan, Jeremiah](#)  
**Subject:** FW: FEMA Section 106 consult: Phoenix High School Site Enhancements  
**Date:** Wednesday, February 04, 2015 15:46:45

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**From:** Alina Shively [mailto:[ashively@jenachoctaw.org](mailto:ashively@jenachoctaw.org)]  
**Sent:** Wednesday, February 04, 2015 3:44 PM  
**To:** Cramer, Jerame  
**Subject:** RE: FEMA Section 106 consult: Phoenix High School Site Enhancements

Mr. Cramer:

Regarding the above-mentioned project, the Jena Band of Choctaw Indians' THPO hereby concurs with the determination of No Properties. Should any inadvertent discoveries occur, please contact our office immediately via the information below. Thank you.

Sincerely,

Alina J. Shively  
Jena Band of Choctaw Indians  
Deputy THPO  
P.O. Box 14  
Jena, LA 71342  
(318) 992-1205  
[ashively@jenachoctaw.org](mailto:ashively@jenachoctaw.org)

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**From:** Shanks, Mary [mailto:[mary.shanks@fema.dhs.gov](mailto:mary.shanks@fema.dhs.gov)]  
**Sent:** Thursday, January 15, 2015 9:35 AM  
**To:** Alina Shively  
**Cc:** Kaplan, Jeremiah; Dana Masters  
**Subject:** FEMA Section 106 consult: Phoenix High School Site Enhancements

Dear Alina:

Attached please find FEMA's Section 106 consultation letter regarding the below project:

**Section 106 Review Consultation, Hurricane Katrina, FEMA-1603-DR-LA**  
**Applicant:** Plaquemines Parish School Board  
**Undertaking:** Phoenix High School Site Enhancements (A/I 2045), 12700 Hwy. 39,  
Braithwaite, LA, 70040 (-89.929553; 29.643426)  
**Determination: No Historic Properties Affected**

Your prompt review is greatly appreciated. Should you have any questions or need additional

information regarding this undertaking, please contact the reviewer on the letter, or you may contact Jerame Cramer, Environmental Liaison Officer at 504-247-7771, or [Jerame.Cramer@fema.dhs.gov](mailto:Jerame.Cramer@fema.dhs.gov).

V/r,

Mary

---

Mary K. Shanks  
Archaeologist/Historic Preservation Specialist  
FEMA LRO  
[mary.shanks@fema.dhs.gov](mailto:mary.shanks@fema.dhs.gov)  
504-491-0895

**From:** [Cramer, Jerame](#)  
**To:** [Emery, Jason](#); [Jones, Gwendolyn](#); [Kaplan, Jeremiah](#)  
**Subject:** FW: Phoenix High School Site Enhancements (A/I 2045), Plaquemines Parish, LA  
**Date:** Tuesday, February 10, 2015 12:41:41

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**From:** Lindsey Bilyeu [mailto:[lbilyeu@choctawnation.com](mailto:lbilyeu@choctawnation.com)]  
**Sent:** Tuesday, February 10, 2015 12:39 PM  
**To:** Cramer, Jerame  
**Subject:** RE: Phoenix High School Site Enhancements (A/I 2045), Plaquemines Parish, LA

Mr. Cramer,

The Choctaw Nation of Oklahoma thanks FEMA for the correspondence regarding the above referenced project. Plaquemines Parish, LA lies in the Choctaw Nation of Oklahoma's area of historic interest. The Choctaw Nation is unaware of any cultural or sacred sites located in the immediate project area. The Choctaw Nation Historic Preservation Department concurs with the finding of "no historic properties affected". However, as the project lies in an area of historic interest to the Tribe, we ask that work be stopped and our office contacted immediately in the event that Native American artifacts or human remains are encountered.

If you have any questions, please contact me at 580-924-8280 ext. 2631.

Thank you,

Lindsey D. Bilyeu  
NHPA Senior Section 106 Reviwer  
Historic Preservation Department  
Choctaw Nation of Oklahoma  
P.O. Box 1210  
Durant, OK 74701  
580-924-8280 ext. 2631  
[lbilyeu@choctawnation.com](mailto:lbilyeu@choctawnation.com)

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February 17, 2016

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 (PA) Program to repair, restore, reconstruct, or replace a public facility damaged or destroyed by a major disaster and make grants available for the purpose of removing disaster generated debris. FEMA applicants may elect to make improvements beyond the pre-disaster design of PA grant-eligible repairs or, as in the current proposal, an applicant may choose to repair or expand other selected public facilities, to construct new facilities, or to fund hazard mitigation measures instead of restoring a damaged facility.

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 tidal surge from the hurricane resulted in extensive damage to the Phoenix High School complex, which currently encompasses pre-kindergarten through 12<sup>th</sup> grade. Although the school has now been rebuilt at an alternate location on the approximate 17-acre tract, the previously existing athletic fields have not yet been replaced. Phoenix High School is located in Plaquemines Parish at 13073 Highway 15, Braithwaite, LA 70040. Site coordinates are Latitude 29.64252°N, Longitude -89.93028°W.

The storm damaged a number of Plaquemines Parish School Board (the Applicant) facilities, some of which have been repaired or replaced and some of which have been deemed no longer necessary. In lieu of using full grant funds to repair certain of these eligible facilities, the Applicant has requested an alternate project to employ these funds to construct a new baseball field, relocated football field, gravel and concrete parking lot, bleachers (with underlying concrete pad), overhead lighting, an elevated press box, and associated amenities at Phoenix High School. The proposed project would occur within an approximate 10-acre area south of the new high school building, on a site previously impacted by post-Hurricane Katrina temporary modular school buildings.

To ensure compliance with the National Environmental Policy Act (NEPA), Executive Orders (EOs), and other applicable Federal regulations, we will be preparing an Environmental Assessment (EA) for this project. To assist us in preparation of the EA, we request that your office review the attached documents for a determination of any formal consultation, regulatory permitting, or other authorization requirements.

Please respond within thirty (30) calendar days of the date of this scoping notification. **Our records indicate your agency previously reviewed a similar project at this location approximately one year ago.** If our office receives no comments at the close of the 30-day period, we will assume that your agency's previous comments are still applicable and that you do not object to the project as proposed.

Comments may be e-mailed to [robert.smith@associates.fema.dhs.gov](mailto:robert.smith@associates.fema.dhs.gov) or mailed to the attention of R. Darrell Smith, Environmental/Historic Preservation (EHP) 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, LDNR, LDWF, NMFS, NRCS, USACE, USEPA, USFWS

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



Phoenix High School athletic fields

680 ft

© 2016 Google

Google earth

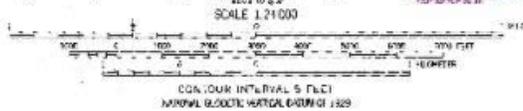
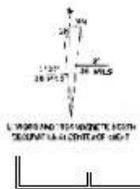
Google earth

feet 1000  
meters 500





Phoenix High School athletic fields



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS FOR SPAIN, AUSTRIA, BELGIUM, CANADA, CHINA, COLOMBIA, COSTA RICA, CUBA, DENMARK, FINLAND, FRANCE, GERMANY, GREECE, HONG KONG, HUNGARY, INDIA, ITALY, JAPAN, KOREA, MALAYSIA, MEXICO, NETHERLANDS, NORWAY, POLAND, PORTUGAL, ROMANIA, RUSSIA, SLOVAKIA, SWEDEN, SWITZERLAND, TAIWAN, THAILAND, UNITED KINGDOM, UNITED STATES OF AMERICA, VIETNAM, AND YUGOSLAVIA. (DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, BAYON BOULEVARD, LOUISIANA 70004) A LEGEND DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST.



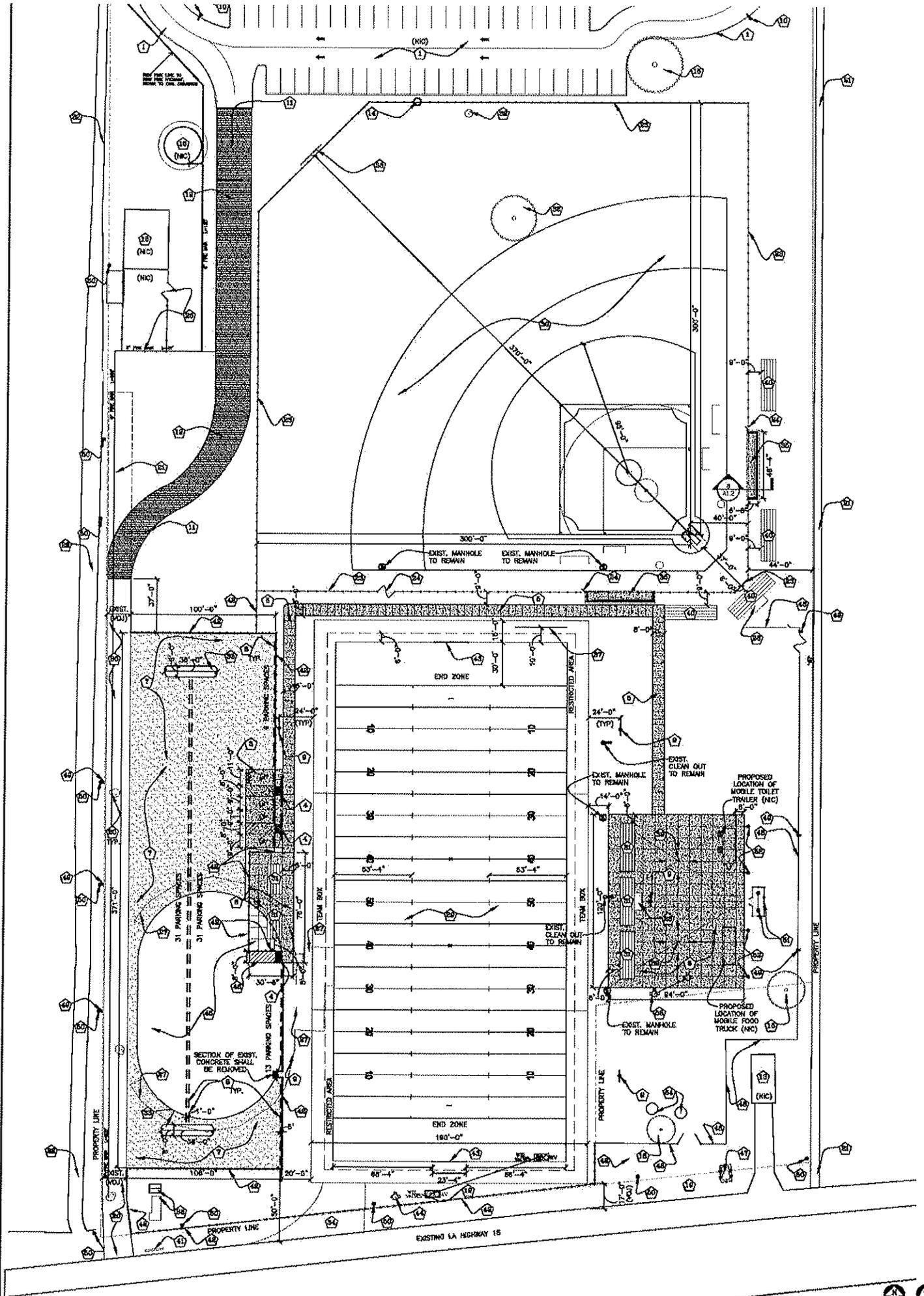
Boundaries shown in purple and uncolored compared in cooperation with State of Louisiana agencies from aerial photographs taken 1959-60 and other sources. The information field created 1993. Map sheet 1924. Information shown in purple may not meet USGS content standards and may conflict with previously mapped contours.

ROAD CLASSIFICATION

Primary highway, hard surface	Lightly used road, hard or improved surface
Secondary highway, hard surface	Unimproved road
Intersite Route	U. S. Route
	Canal Route

PHOENIX, LA. MAP SHEET 1924. 1:21,000. 1973. REVISED 1994. (TMA 6043 BY A.W. SERIES 7885)







# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

646 Cajundome Blvd.  
Suite 400  
Lafayette, Louisiana 70506

December 2, 2015

To Whom It May Concern,

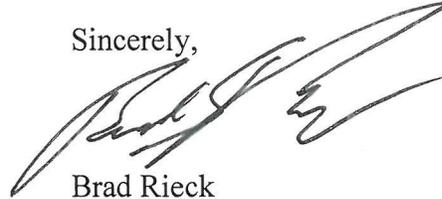
The Louisiana Ecological Services Office of the Fish and Wildlife Service is pleased to announce the addition of a final level of project screening involving a species habitat element in our online pre-development self-assessment tool. This revised tool allows project proponents/representatives the ability to more accurately self-assess their projects for potential impacts to federally listed threatened and endangered species. The tool will provide instant feedback on whether a project does, or does not, have the potential to affect federally listed species. We believe that you will find this online tool helpful in meeting your environmental clearance needs. **Our office is no longer able to dedicate staff and time to provide individual review and response to all project proposals sent to us. Therefore, we encourage you to take advantage of this online tool to determine potential effects to our trust resources. If, through this online process, you are instructed to continue to coordinate with us, please then provide us with the necessary information for our review.**

In order to access this tool, you will need to go to the following website address: <http://www.fws.gov/lafayette>. Next, click on the red button entitled "Endangered Species Act (ESA) and Migratory Bird Treaty Act (MBTA) Project Review". This tool will query certain aspects of your proposed project so that you, acting as the representative for a Federal agency, or in some other capacity, can render a decision on whether the project could affect a federally listed species. If you determine through this process that the project would not be expected to impact a listed species, no further coordination with this office is necessary, and you will be given the option to generate a pre-development report form that documents this determination for your records.

In addition to providing guidance on imperiled species coordination, the self-assessment tool provides migratory bird guidance for cell tower projects. Because of the ephemeral nature of colonial nesting wading birds and shorebirds, we are not able to provide online "clearance" on those taxa. However, our website does provide suggested buffer distances should nesting colonies be encountered in the vicinity of the project area. A link is also provided to offer additional instructions in determining disturbance to nesting bald eagles. That information is found on our webpage under Migratory Birds or through the project review process.

We hope that you find this online guidance helpful with your project planning and permitting needs. If you have any questions or comments regarding our website features, please contact Amy Trahan of this office (337-291-3126).

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Rieck', with a large, sweeping flourish extending to the right.

Brad Rieck  
Acting Field Supervisor  
Louisiana Ecological Services Office

**Smith, R. Darrell (CTR)**

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**From:**  
**Sent:**  
**To:**  
**Subject:**

The U.S. Environmental Protection Agency (EPA) has completed your request for a solicitation of views concerning the Phoenix High School athletic field in Plaquemines Parish, Louisiana. 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)* and *Executive Order 11990*.

Our preliminary review did not reveal any jurisdictional waters of the U.S. on the proposed site. At this time, 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

**Smith, R. Darrell (CTR)**

---

**From:**  
**Sent:**  
**To:**  
**Cc:**  
**Subject:**

To Whom It May Concern:

The email below was sent to **Emmanuel Ross with FEMA on July 23, 2015.**

July 23, 2015

Emanuel Ross III  
FEMA Area Field Office  
1100 Robert E. Lee Blvd  
New Orleans, LA 70124  
[emanuel.ross@fema.dhs.gov](mailto:emanuel.ross@fema.dhs.gov)

RE: 150402/0325                      Phoenix High School  
   FEMA Funding  
   Plaquemines Parish

Dear Mr. Ross:

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, Plaquemines 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](mailto:linda.hardy@la.gov).

Sincerely,

*Linda M. Hardy*

Technical Assistant to the Deputy Secretary  
Louisiana Department of Environmental Quality  
Office of the Secretary  
P.O. Box 4301  
Baton Rouge, LA 70821-4301  
Ph: (225) 219-3954  
Fax: (225) 219-3971  
Email: [linda.hardy@la.gov](mailto:linda.hardy@la.gov)

<b>Permit Number: P20160152</b>			
<u>Office</u>	<u>Commentor</u>	<u>Comment Date</u>	<b>Comment</b>
Other	CAPTURE	03/01/2016 13:01:51	<a href="#">5504593 - INTERNAL COMMENTS - CODE SHEET</a>
CPRA	MELISSAK	02/23/2016 15:10:35	CUP# P20160152; With respect to its potential impact on the New Orleans to Venice STATUS:Not Constructed Project: BA-0067 - HSDRRS, CPRA has no objection at this time to the above referenced CUP application.
CPRA	SYDNEYDOBSON	02/18/2016 16:57:52	CUP# P20160152; With respect to its potential impact on the Map ID: 001.DI.17 Project Name: Upper Breton Diversion (250,000 cfs), OCPR Master Plan Review has no objection at this time to the above referenced CUP application.

**Smith, R. Darrell (CTR)**

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**From:**  
**Sent:**  
**To:**  
**Cc:**  
**Subject:**

Mr. Smith:

The change in the project will not impact the previous comments we sent in December 2014, so no response is necessary as per *your* comments below.

*Please contact Mitchell Mouton should you need any additional information at 318-473-7789.*

*Thanks and have a great weekend.*

*Jacqueline M. Guillory*  
Secretary to ASTCs  
3737 Government Street, Bldg. A  
Alexandria, LA 71302  
318-473-7768 (Phone)  
844-325-6947 (Fax)



State of Louisiana  
DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF COASTAL MANAGEMENT

02/29/2016

FEMA  
1500 MAIN STREET  
BATON ROUGE, LA 70802

**RE: P20160152, Solicitation of Views  
FEMA**

**Description:** Plaquemines Parish School Board has requested to construct a new baseball field, relocated football field, gravel and concrete parking lot, bleachers (with underlying concrete pad), overhead lighting, an elevated press box, and associated amenities at Phoenix High School.

**Location:** Lat. 29° 38' 33.07"N, Long. -89° 55' 49"W; Braithwaite.

**Plaquemines 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:

- Traditional lands of the Chitimacha Tribe of Louisiana
- Local Levee District Coordination (Grand Prairie Levee District)
- Projects under supervision of Coastal Protection and Restoration Authority

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

Post Office Box 44487 • Baton Rouge, Louisiana 70804-4487  
617 North Third Street • 10th Floor • Suite 1078 • Baton Rouge, Louisiana 70802  
(225) 342-7591 • Fax (225) 342-9439 • <http://www.dnr.louisiana.gov>

An Equal Opportunity Employer

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 Amelia Wolfe at (225) 342-0566 or [amelia.wolfe@la.gov](mailto:amelia.wolfe@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/aw**

Attachments

**Final Plats:**

1) [P20160152](#)    [Final Plats](#)    [02/18/2016](#)

cc: Jessica Diez, OCM w/plats  
Frank Cole, CMD/FI w/plats  
Plaquemines Parish w/plats



JOHN BEL EDWARDS  
GOVERNOR

State of Louisiana  
DEPARTMENT OF WILDLIFE AND FISHERIES  
OFFICE OF WILDLIFE

CHARLIE MELANCON  
SECRETARY  
JIMMY L. ANTHONY  
ASSISTANT SECRETARY

**Date** March 4, 2016  
**Name** Darrell Smith  
**Company** FEMA  
**Street Address** 1500 Main Street  
**City, State, Zip** Baton Rouge, La 70802  
**Project** Pheonix High School  
**Project ID** 412016  
**Invoice Number** 16030408

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 or scenic streams 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,

  
Amity Bass, Coordinator  
Natural Heritage Program



JOHN BEL EDWARDS  
GOVERNOR

State of Louisiana  
DEPARTMENT OF WILDLIFE AND FISHERIES  
OFFICE OF WILDLIFE

CHARLIE MELANCON  
SECRETARY  
JIMMY L. ANTHONY  
ASSISTANT SECRETARY

## INVOICE

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***RETAIN THIS COPY FOR YOUR RECORDS***

***Date*** March 4, 2016  
***Invoice Number*** 16030408  
***Project*** Pheonix High School  
  
***Name*** Darrell Smith  
***Company*** FEMA  
***Street Address*** 1500 Main Street  
***City, State, Zip*** Baton Rouge, La 70802  
***Number of Quads Reviewed*** 1  
***Total Due*** \$0.00

Payment should be made to "Louisiana Department of Wildlife & Fisheries" within 30 days of the date of this invoice. Please include the invoice number on your check and return a copy of this invoice with your remittance to the following address:

Louisiana Department of Wildlife & Fisheries  
Attn: Jennifer Riddle  
P.O. Box 80399  
Baton Rouge, LA 70898-0399

Should you have any questions regarding this invoice, for review of the Louisiana Natural Heritage database for information on known sensitive elements at a charge of \$30.00 per quad reviewed, please contact LNHP at (225) 765-2357.



## Louisiana Ecological Services Office

### ESA Technical Assistance Form

#### General Information

**Name:** FEMA

**Point of Contact:** \_\_\_\_\_

**Address:** 1500 Main Street

**City:** Baton Rouge

**State:** Louisiana

**Zip Code:** 70802

**Phone Number 1:** \_\_\_\_\_ **Phone Number 2:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

#### Proposed Project Information

**Project Reference ID:** 6678

**Project Latitude:** 29.64252 **Project Longitude:** -89.93028

**Project Parish(es):** Plaquemines

**Project Description:** The Applicant has requested an alternate project to construct a new baseball field, relocated football field, gravel and concrete parking lot, bleachers (with underlying concrete pad), overhead lighting, an elevated press box, and associated amenities at Phoenix High School. The proposed project would occur within an approximate 8.5-acre vacant area south of the new high school building, on a site previously impacted by post-Hurricane Katrina temporary modular school buildings.

Based on the information provided, the proposed project is not an activity that would affect a federally listed threatened or endangered species or designated critical habitat.

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 periodically. If the scope or location of the proposed project is changed, coordination via this website should occur as soon as such changes are made.

If your project is located adjacent to a wildlife management area, refuge, or other area that is managed as a bird preserve, we recommend that you contact the adjacent land management office.

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.

If you have additional questions, please contact Louisiana ES Office Biological Science Technician at 337/291-3100 for further assistance.

**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)? **No**

Does the project propose to construct new buildings, streets, sidewalks or other urban/suburban infrastructure in an area that has been previously undisturbed? **Yes**

Does the project propose to conduct any activity in a natural area or water body? **No**



March 3, 2016

MEMORANDUM TO: Grand Prairie Levee District

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 (PA) Program to repair, restore, reconstruct, or replace a public facility damaged or destroyed by a major disaster and make grants available for the purpose of removing disaster generated debris. FEMA applicants may elect to make improvements beyond the pre-disaster design of PA grant-eligible repairs or, as in the current proposal, an applicant may choose to repair or expand other selected public facilities, to construct new facilities, or to fund hazard mitigation measures instead of restoring a damaged facility.

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 tidal surge from the hurricane resulted in extensive damage to the Phoenix High School complex, which currently encompasses pre-kindergarten through 12<sup>th</sup> grade. Although the school has now been rebuilt at an alternate location on the approximate 17-acre tract, the previously existing athletic fields have not yet been replaced. Phoenix High School is located in Plaquemines Parish at 13073 Highway 15, Braithwaite, LA 70040. Site coordinates are Latitude 29.64252°N, Longitude -89.93028°W.

The storm damaged a number of Plaquemines Parish School Board (the Applicant) facilities, some of which have been repaired or replaced and some of which have been deemed no longer necessary. In lieu of using full grant funds to repair certain of these eligible facilities, the Applicant has requested an alternate project to employ these funds to construct a new baseball field, relocated football field, gravel and concrete parking lot, bleachers (with underlying concrete pad), overhead lighting, an elevated press box, and associated amenities at Phoenix High School. The proposed project would occur within an approximate 10-acre area south of the new high school building, on a site previously impacted by post-Hurricane Katrina temporary modular school buildings.

To ensure compliance with the National Environmental Policy Act (NEPA), Executive Orders (EOs), and other applicable Federal regulations, we will be preparing an Environmental Assessment (EA) for this project. To assist us in preparation of the EA, we request that your office review the attached documents for a determination of any formal consultation, regulatory permitting, or other authorization requirements.

Please respond within fifteen (15) calendar days of the date of this scoping notification. If our office receives no comments at the close of the 15-day period, we will assume that you do not object to the project as proposed.

Comments may be e-mailed to [robert.smith@associates.fema.dhs.gov](mailto:robert.smith@associates.fema.dhs.gov) or mailed to the attention of R. Darrell Smith, Environmental/Historic Preservation (EHP) 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

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

## **Appendix C**

### **8-Step Decision-Making Process**

**FLOODPLAIN 8-STEP PLANNING DOCUMENT  
PLAQUEMINES PARISH SCHOOL BOARD  
PHOENIX HIGH SCHOOL ATHLETIC FIELDS  
PLAQUEMINES PARISH  
ENVIRONMENTAL ASSESSMENT  
FEMA 1603-DR-LA**

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

**Date:** 11 March 2016  
**Prepared by:** John Renne', Floodplain Specialist  
**Applicant:** Plaquemines Parish School Board  
**Project Title:** Phoenix High School Athletic Fields  
**Latitude:** 29.64252°N, **Longitude:** -89.93028°W

Hurricane Katrina made landfall on 29 August 2005, near the town of Buras, Louisiana, as a Category 3 storm with sustained winds of more than 125 miles per hour. The accompanying high winds and storm surge caused extensive damage to the Phoenix High School campus, including the school's athletic fields, which were inundated to a depth of approximately 11 feet. These facilities were deemed eligible for repair and/or replacement by the Federal Emergency Management Agency's (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 Plaquemines Parish School Board (PPSB or Applicant) 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 PPSB is eligible for federal disaster public assistance and that Phoenix High School qualifies for repair as a critical or non-critical facility serving the needs of the general public.

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, however. Consequently, in accordance with 44 C.F.R. § 206.203(d), PPSB has requested an Alternate Project. An Alternate Project is any project where, in lieu of restoring a damaged facility, an applicant chooses to repair or expand other selected public facilities, to construct new facilities, or to fund hazard mitigation measures. For the current request, PPSB proposes to construct Phoenix High School's athletic fields at a site different from their pre-Katrina position north of the school's main building, since the new, relocated main building now occupies the original area. Phoenix High School's address is 13073 Highway 15, Braithwaite, LA 70040 (also referred to as 12700 Highway 39). The school is situated near the community of Phoenix, in Plaquemines Parish.

FEMA is preparing a National Environmental Policy Act (NEPA) draft Environmental Assessment (DEA), incorporated by reference herein, to analyze potential environmental impacts of the proposed project, including those affecting the base floodplain and wetlands. FEMA will use the findings in the DEA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI), as well as support the floodplain and wetland “8-step” planning and public participation requirements in 44 C.F.R. Part 9.

44 C.F.R. § 9.6 details an 8-step process that decision-makers must use when considering projects that have potential impacts to or within the floodplain. This process assesses the action with regard to human susceptibility to flood harm and impacts to wetlands. The 8-step analyzes principle flood problems, risks from flooding, history of flood loss, and existing flood protection measures. The process includes a public notice and an opportunity for the public to have early and meaningful participation in decision-making and alternative selection. In conjunction with the DEA development, the 8-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/or impacts to wetlands.

**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:

Effective FIRM Panel: 2201390170B (dated 1 May 1985)  
Flood Zone “B”, an area levee-protected from the base flood.

Preliminary DFIRM Panel: 22075C0200E (dated 9 November 2012)  
Flood Zone “AE”, an area in the base floodplain with a base flood elevation 17 feet above the North American Vertical Datum 1988.

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 Plaquemines Gazette*, the journal of record for Plaquemines Parish, announcing the availability of the draft EA for review at the (1) Davant Community Center, 15535 Highway 15, Braithwaite (Davant), LA 70040 and (2) the Belle Chasse Branch Library, 8442 Highway 23, Belle Chasse, LA 70037, 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/Phoenix>.

**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 construction of replacement baseball and football/soccer fields at Phoenix High School.
- **Alternative 2: Utilization of Nearby Existing Athletic Fields** – This alternative would entail making use of existing baseball and football/soccer fields at another nearby location. Davant Park is situated approximately 4½ miles east-southeast of Phoenix High School. The geographic coordinates of this park are Latitude 29.61117°N, Longitude -89.86236°W. Davant Park’s baseball field is comparable in size to the one proposed for the school. The existing soccer field at the park is currently undergoing improvements to adapt it for dual use as a football pitch, including the addition of bleachers and goalposts. As a venue for sporting events, this option would be functionally equivalent to the proposed alternative. No other suitable athletic fields exist on the east side of the Mississippi River. Although there are suitable sites on the west side of the river, the only access to these locations is via ferry, which makes the nearest option approximately 20 miles away by road. As a result, Davant Park will be evaluated as the nearest practicable alternative to the proposed action.
- **Alternative 3: Construction of New Athletic Fields Adjacent to Phoenix High School (Proposed Action)** – The Applicant proposes to use eligible funding to construct replacement athletic fields within an approximate 8.5-acre vacant area of the Phoenix High School campus. This alternative would include a natural grass football/soccer field, goalposts, field lighting, electrical equipment and scoreboard, signage, parking area, asphalt driveway, concrete paved walkways, bleachers, baseball backstop, dugouts, a press box, and a surrounding chain-link fence. The seating capacity of the facility would be 300 persons. Concession and toilet amenities would consist of portable rolling units that would connect to the water and sewer lines that already exist on the site; however, limited reconfiguration of piping would be required. The proposed gravel parking lot would encompass an existing elliptically-shaped concrete slab, left over from an inflatable gymnasium that was part of the post-Katrina temporary modular campus facility.

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 Phoenix Athletic Fields. This course would have no further adverse impacts to the floodplain. The school’s affected sports teams would have no nearby fields on which to practice or host competing teams and the physical education programs of all age groups would be less effective. The benefits of vigorous team athletic activities would be lessened and the opportunity for learning new sports skills would be reduced.
- **Alternative 2: Utilization of Nearby Existing Athletic Fields** – 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. Utilization of the nearby existing athletic fields 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 National Flood Insurance Program (NFIP). The Applicant would be required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. For the replacement of building contents, material and equipment, 44 C.F.R. § 9.11(d)(9) requires appropriate disaster-proofing of the building and/or elimination of such future losses by relocation of those building contents, materials, and equipment outside or above the base floodplain, where possible.

- **Alternative 3: Construction of New Athletic Fields Adjacent to Phoenix High School (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 Phoenix Athletic Fields 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. For the replacement of building contents, material and equipment, 44 C.F.R. § 9.11(d)(9) requires appropriate disaster-proofing of the building and/or

elimination of such future losses by relocation of those building contents, materials, and equipment outside or above the base floodplain, where possible.

**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 - Construction of the Phoenix Athletic Fields shall be completed in accordance with all local floodplain ordinances, with applicable codes and standards applied to mitigate and minimize adverse effects (compliance with locally-adopted minimum NFIP standards and requirements).

In order to minimize indirect impacts (erosion, sedimentation, dust, and other construction-related disturbances) to the nearby waters of the U.S. 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) permitting specifications for stormwater discharges, 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 draft 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 requirements stated in 44 C.F.R. § 9.11 are fully implemented.
- Applicable - Oversight responsibility established as follows:

## **Appendix D**

### **Public Notice**

**DRAFT ENVIRONMENTAL ASSESSMENT AND DRAFT  
FINDING OF NO SIGNIFICANT IMPACT FOR AN  
ALTERNATE PROJECT FOR NEW ATHLETIC FIELDS AT PHOENIX HIGH  
SCHOOL, PLAQUEMINES PARISH, LOUISIANA**

Interested parties are hereby notified that the Federal Emergency Management Agency (FEMA) has prepared a draft Environmental Assessment (DEA) and a draft Finding of No Significant Impact (FONSI) in compliance with the National Environmental Policy Act (NEPA). The purpose of the DEA is to assess the effects on the human and natural environment of the Plaquemines Parish School Board's (PPSB) proposed new athletic fields at Phoenix High School, near the community of Phoenix, Plaquemines Parish, Louisiana, 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, as a Category 3 storm with sustained winds of more than 125 miles per hour. The accompanying high winds and storm surge caused extensive damage to the Phoenix High School campus, including the school's athletic fields, which were inundated to a depth of approximately 11 feet.

The Applicant has determined that repair of the damaged fields to their pre-Katrina specifications would not be in the best interest of the community and has, instead, requested an Alternate Project. An Alternate Project is any project where, in lieu of restoring a damaged facility, an applicant chooses to repair or expand other selected public facilities, to construct new facilities, or to fund hazard mitigation measures. For the current request, PPSB proposes to construct Phoenix High School's baseball and football/soccer fields at a site different from their pre-Katrina position north of the school's main building, since the new, relocated main building now occupies this area. Phoenix High School's address is 13073 Highway 15, Braithwaite, LA 70040 (also referred to as 12700 Highway 39). The approximate geographic coordinates of the proposed project site are Latitude 29.64252°N, Longitude -89.93028°W.

The purpose of the DEA is to analyze the potential environmental impacts associated with the preferred action and two alternatives. The DEA evaluates a No Action Alternative; the Preferred Action Alternative, which is to construct the new athletic fields to the south of the school's new main building; and an Alternative Action, which is to utilize existing fields at a different location. The draft FONSI is FEMA's finding that the preferred action will not have a significant effect on the human and natural environment.

The DEA and draft FONSI are available for review at the following locations: (1) Davant Community Center, 15535 Highway 15, Braithwaite (Davant), LA 70040 (hours of operation are 8:00 a.m. to 3:00 p.m. Monday through Friday) and (2) Belle Chasse Branch Library, 8442 Highway 23, Belle Chasse, LA 70037 (hours of operation are 8:30 a.m. to 5:00 p.m. Monday, Wednesday, and Friday; 8:30 a.m. to 7:00 p.m. Tuesday and Thursday; and 8:30 a.m. to 12:30 p.m. on Saturday). The documents also can be downloaded from FEMA's website at <http://www.fema.gov/media-library/search/Phoenix>. A public notice will be published on three (3) consecutive Tuesdays, 3, 10, and 17 May 2016, in *The Plaquemines Gazette*, the journal of record for Plaquemines Parish. Additionally, there will be a 15-day comment period, beginning on Wednesday, 18 May and concluding on Thursday, 2 June 2016, at 4:00 p.m. Written

comments may be mailed to: DEPARTMENT OF HOMELAND SECURITY-FEMA EHP-Phoenix, 1500 MAIN STREET, BATON ROUGE, LOUISIANA 70802. Comments also may be e-mailed to [fema-noma@dhs.gov](mailto: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 DEA and associated FONSI will become final.

## **Appendix E**

### **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  
PHOENIX HIGH SCHOOL ATHLETIC FIELDS ALTERNATE  
PROJECT, PLAQUEMINES PARISH, LOUISIANA  
FEMA-1603-DR-LA**

**BACKGROUND**

Hurricane Katrina made landfall on 29 August 2005, near the town of Buras, Louisiana, as a Category 3 storm with sustained winds of more than 125 miles per hour. The accompanying high winds and storm surge caused extensive damage to the Phoenix High School campus, including the school's athletic fields, which were inundated to a depth of approximately 11 feet. Phoenix High School's address is 13073 Highway 15, Braithwaite, LA 70040 (also referred to as 12700 Highway 39). The school is situated near the community of Phoenix, in Plaquemines Parish.

The Applicant, the Plaquemines Parish School Board (PPSB), 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 the granting of federal funds under the auspices of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), P.L. 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), PPSB has requested an Alternate Project. An Alternate Project is any project where, in lieu of restoring a damaged facility, an applicant chooses to repair or expand other selected public facilities, to construct new facilities, or to fund hazard mitigation measures.

The proposal action is for the construction of new athletic fields at a site different from their pre-Katrina position north of the school's main building, since a new, relocated FEMA-funded main building now occupies the original area. This project, as proposed, would serve to replace baseball, football, and soccer fields, permitting resumption of facility-dependent daily physical education activities, as well as competitive outdoor team sports.

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. Part 10, FEMA regulations to implement NEPA, an Environmental Assessment (EA) was prepared. The alternatives considered consist of: 1) No Action, 2) Utilization of Nearby Existing Athletic

Fields, and 3) Construction of New Athletic Fields Adjacent to Phoenix High School (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 Applicant is required to coordinate with the Grand Prairie Levee District for any required permits, clearances, or authorizations.
- 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 Office of Coastal Management'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.
- 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)(3), there shall be no new construction or substantial improvement of structures unless the lowest floor of the structures (including basement) is at or above the level of the base flood. Furthermore, 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. The Applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and Applicant compliance with any conditions should be documented and copies forwarded to the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP) and FEMA for inclusion in the permanent project files. Per 44 CFR § 9.11(d)(9), for the replacement of building contents, materials, and equipment, where possible, disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials, and equipment outside or above the base floodplain.
- Unusable equipment, debris, and material shall be disposed of in an approved manner and location. The Applicant must 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.
- Should any solid or hazardous wastes, or soils and/or groundwater contaminated with hazardous constituents be encountered during execution of the project, notification to LDEQ's Single-Point-of-Contact (SPOC) at (225) 219-3640 is required. Appropriate measures for the proper assessment, remediation, management, and disposal of the contamination must be initiated in accordance with applicable federal, state, and local regulations. The contractor is required to take appropriate actions to prevent, minimize, and control the spill of hazardous materials at the proposed site. Additionally, precautions must be taken to protect workers from these hazardous constituents.
- 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 worker exposure regulations covered within 29 C.F.R. Parts 1910 and 1926.

- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present within the project area, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The Applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four (24) hours of the discovery. The Applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two (72) hours of the discovery.
- Inadvertent Discovery Clause: If during the course of work, archaeological artifacts (prehistoric or historic) are discovered, the Applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The Applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The Applicant will not proceed with work until FEMA HP completes consultation with the SHPO, and others as appropriate.

**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:**

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Jerame J. Cramer, Environmental Liaison Officer LRO – 1603/1607-DR-LA	Date
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Thomas M. (Mike) Womack, Director of Louisiana Recovery Office FEMA-1603/1607-DR-LA	Date
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