

Draft Environmental Assessment

New Orleans City Park
Wisner Tennis Center
Great Lawn Project

Orleans Parish, Louisiana
August 2009



FEMA

U.S. Department of Homeland Security
Louisiana Transitional Recovery Office
New Orleans, Louisiana 70114

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ACRONYMS AND ABBREVIATIONS

ABFE	advisory base flood elevation
ACHP	Advisory Council on Historic Preservation
amsl	above mean sea level
APE	Area of Potential Effects
BMP	Best Management Practice
CAA	Clean Air Act
CBRA	Coastal Barrier Resources Act
CBRS	Coastal Barrier Resources System
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	carbon monoxide
CUP	Coastal Use Permit
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
dB	decibel
DFIRM	Digital Flood Insurance Rate Map
DNL	Day-Night Average Sound Level
EA	Environmental Assessment
EDMS	Electronic Document Management System
EO	Executive Order
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FPPA	Farmland Protection Policy Act
GOHSEP	Governor's Office of Homeland Security and Emergency Preparedness
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NO ₂	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory

ACRONYMS AND ABBREVIATIONS

O ₃	ozone
OSHA	Occupational Safety and Health Administration
PA	Public Assistance
Pb	lead
SHPO	State Historic Preservation Office
SO ₂	sulfur dioxide
SWPPP	Storm Water Pollution Prevention Plan
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service

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1.0 INTRODUCTION

1.1 Project Authority

Hurricane Katrina, a Category 4 hurricane with a storm surge above normal high tide levels, moved across the Louisiana, Mississippi and Alabama gulf coasts on August 29, 2005. Maximum sustained winds at landfall were estimated at 140 miles per hour. President Bush declared a major disaster for the State of Louisiana due to damages from Hurricane Katrina and signed a disaster declaration (FEMA-1603-DR-LA) on August 29, 2005, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide federal assistance in designated areas of Louisiana. FEMA is administering this disaster assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. Section 406 of the Stafford Act authorizes FEMA's Public Assistance Program to repair, restore and replace State and local government and certain Private Nonprofit facilities damaged as a result of the declared event.

The State of Louisiana Facility Planning and Control has submitted an application for Federal Emergency Management Agency (FEMA) funding under FEMA's Public Assistance Program being administered in response to FEMA-1603-DR-LA, for the proposed improvement for City Park through the development of a lawn area. This approximate 3 acre improvement to the Tri-Centennial Place area of City Park will provide a multi-use area for park visitors.

In accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 93-288, as amended, The National Environmental Policy Act of 1969 (NEPA), the President's Council on Environmental Quality regulations implementing NEPA (40 CFR 1500-1508) and FEMA's implementing regulations at 44 Code of Federal Regulations (CFR) Part 206, FEMA is required to review the environmental effects of the proposed action prior to making a funding decision. This Draft Environmental Assessment (DEA) has been prepared in accordance with FEMA's National Environmental Policy Act (NEPA) regulations found in 44 CFR Part 10. The purpose of this DEA is to analyze potential environmental impacts of the proposed project at New Orleans City Park. FEMA will use the findings in this DEA to determine whether to prepare an Environmental Impact Statement (EIS) or a Funding of No Significant Impact (FONSI).

1.2 Background

On August 29, 2005, the tidal surge and high velocity winds from Hurricane Katrina resulted in extensive damage to City Park, New Orleans, Louisiana. Flood waters inundated City Park lagoons and greenways. New Orleans City Park, which traverses the majority of the western side of Saint John's Bayou, is one of the largest and oldest urban parks in the United States. The proposed project improvements will be in the Tri-Centennial area of the Park between Dreyfous Avenue and Victory Avenue. City Park is a state agency of the Department of Culture, Recreation and Tourism operated by the non-profit City Park Improvement Association. The land occupied by City Park is owned by the City of New Orleans. The State of Louisiana Facility Planning and Control has provided assistance since Hurricane Katrina.

2.0 PURPOSE AND NEED

As a result of Hurricane Katrina, the park facilities at City Park were heavily damaged. The purpose of this proposed action is to introduce green space consisting of a lawn and palm tree-lined promenade and water feature into a space formerly occupied by tennis courts and/or asphalt parking lots. The existing park setting is defined by mature oak trees, lawns, plantings, understory vegetation, lagoons and winding roadways. Common active recreational uses include walking, jogging, pet walking and biking. Frequent passive uses are picnicking, reading and painting.

3.0 ALTERNATIVES

This section describes the alternatives that were considered in addressing the purpose and need stated in Section 2. Two alternatives were evaluated: the No Action Alternative, and the Proposed Action Alternative, which is the alternate improvement of the Great Lawn.

Alternative 1: No Action

Under the No Action Alternative, the Great Lawn would not be constructed. Consequently this area of the park would not be enhanced and upgraded for recreational use.

Alternative 2: Alternative Improvement The Great Lawn at City Park (Proposed Action)

Under the Proposed Action Alternative, this approximate 3 acre improvement to the Tri-Centennial Place area of City Park will provide a multi-use area for park visitors. The project is on axis with the existing P.T. Parker building and Peristyle. The existing site is presently a parking lot (formerly the Tennis Center). A new parking lot will be developed adjacent to and north of the proposed improvements, servicing the Great Lawn and other facilities.

The improvements include the development of a lawn area flanked by a double alley of palm trees on both sides of the lawn. Between the palm trees, a promenade will provide access from Dreyfous Avenue and Victory Avenue and will be interspersed with seating areas. On the north end of the lawn area a major terrace parterre with a stepped arbor will provide the structure for development of a feature of cascading water from the arbor and wall runnels, all ending in a bottom basin with a spray jet.

Lighting for the Great Lawn will be provided by up-lighting along the promenade. Electrical services for special events will be provided on three sides of the lawn by bollard lighting. A site prep package will precede the construction contract and will include construction fencing, demolition of concrete curbs, concrete paving, asphalt paving, light poles and over head electrical lines. Removal of two electrical vaults will require the installation of a new pad mounted transformer to service the area.

The proposed project will enhance active and passive recreational uses. The promenade with benches will provide pedestrian access with opportunities to rest. The lawn will provide open space for relaxation, picnics, gatherings and other recreational opportunities.

4.0 AFFECTED ENVIRONMENT AND IMPACTS

The following table summarizes the potential impacts of the Proposed Action Alternative and conditions or mitigation measures to offset those impacts. Following the summary table, any resource areas for which potential impacts were identified, as well as high priority resources including floodplains, waters of the U.S., environmental justice, biological resources, and cultural resources, will be discussed in greater detail.

Affected Environment	Impacts	Mitigation
Geology and Soils	No impacts to geology are anticipated. Short-term minor impacts to soils may occur during construction. No conversion of farmland would occur.	Appropriate Best Management Practices (BMPs), such as installing silt fences and revegetating bare soils, would minimize runoff.
Surface Water	Temporary short-term impacts to downstream surface waters are possible during construction activities.	Appropriate BMPs, such as installing silt fences and revegetating bare soils, would minimize runoff into downstream surface waters.
Groundwater	No impacts to groundwater are anticipated.	None.
Floodplains	No impacts to floodplains will occur.	None.
Waters of the U.S. including Wetlands	No impacts to waters of the U.S., including wetlands, would occur.	Appropriate BMPs, such as installing silt fences and stabilizing soils would minimize runoff into downstream water resources.

Affected Environment	Impacts	Mitigation
Transportation	There would be a minor temporary increase in the volume of construction traffic on roads in the immediate vicinity of the proposed project site. Minor, long-term impacts to traffic levels on Dreyfous Road and Victory Ave would occur as a result of increased traffic by individuals utilizing the proposed facility.	Construction vehicles and equipment would be stored on-site during project construction and appropriate signage would be posted on affected roadways.
Public Health and Safety	Construction activities could present safety risks to those performing the activities.	All construction activities would be performed using qualified personnel and in accordance with the standards specified in Occupational Safety and Health Administration (OSHA) regulations. Appropriate signage and barriers would be in place prior to construction activities to alert pedestrians and motorists of project activities.
Hazardous Materials	No hazardous materials or waste impacts are anticipated.	Any hazardous materials discovered, generated, or used during construction would be disposed and handled in accordance with applicable local, state, and federal regulations.
Socioeconomic Resources	No adverse socioeconomic impacts are anticipated.	None.
Environmental Justice	No disproportionately high or adverse effect on minority or low-income populations is anticipated.	None.
Air Quality	Short-term impacts to air quality would occur during the construction period.	Construction contractors would be required to water down construction areas when necessary; fuel-burning equipment running times would be kept to a minimum; engines would be properly maintained.
Noise	Short-term noise impacts would occur at the proposed project site during the construction period.	Construction would occur during normal working hours and equipment would meet all local, state, and federal noise regulations.
Biological Resources	Approximately 3 acres of tennis courts and parking are would be converted to a grassed area with palm lined promenades for recreational use. No	None.

Affected Environment	Impacts	Mitigation
	impacts to threatened or endangered species are anticipated.	
Cultural Resources	No impacts to cultural resources are anticipated.	None.

4.1 Geology and Soils

The geology of the proposed location predominantly consists of Holocene Coastal Marsh and Holocene Alluvium. Holocene Coastal Marsh consists of gray-to-black clays in places with thin peat beds, or bodies of brackish/salt-water. Holocene Alluvium also consists of clays and is usually found in plains, some higher terraces, prior streams, back-plains or swamps (<http://www.lgs.lsu.edu>).

The majority of the proposed project site contains soils classified as Cancienne (formerly included in the Commerce series) silt loam and Cancienne silty clay loam, with slopes ranging from 1 to 3 percent (USDA/NRCS, 2009). The Cancienne soil has a dark grayish brown silt loam surface about 5 inches thick. This somewhat poorly drained soil is in high and intermediate positions on natural levees of the Mississippi River and its distributaries. They are considered prime farmland soil. The survey shows the APE to be at the junction of a ridge and a backswamp.

On 4/17/08, soil cores were taken by FEMA archaeologists at each of the four corners of the APE, revealed a top layer of stiff mottled silty clay. The subsoil varied from Commerce silt loam, in the Southern half of the APE, to Commerce silty clay loam in the Northern half, consistent with the above mentioned soil survey.

The Farmland Protection Policy Act (FPPA) (7U.S. Code 4201, et seq.) states that federal agencies must “minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses...” The Act requires federal agencies to evaluate the adverse effects of their activities on prime and unique farmland. The Act requires federal agencies to consult with NRCS regarding impacts to prime and unique farmland, and farmland of statewide importance. The proposed project site is within the New Orleans and within a City Park.

No Action Alternative – Under the No Action Alternative, no impacts to geology or soils and no impacts on prime, unique, statewide, or locally important farmland would occur.

Proposed Action Alternative – Under the Proposed Action Alternative, no impacts to geology are anticipated. The enhancement of the Tri-Centennial Place area of City Park would affect soils, primarily as part of site preparation. Soils will be exposed during grading and trenching for utilities. Implementation of appropriate BMPs would be required at the construction location. BMPs could include the installation of silt fences and the revegetation of soils to minimize the potential for erosion. No conversion of farmland to non-agricultural uses will occur.

4.2 Water Resources

4.2.1 Surface Water and Groundwater

The Clean Water Act (CWA), as amended in 1977, established the basic framework for regulating discharges of pollutants into the waters of the United States.

The proposed project site is relatively level and contains no surface water resources. The nearest surface water is Saint John's Bayou to the east of the project site. The Orleans Levee Board has jurisdiction of Bayou St. John from the mouth of the bayou at Lake Pontchartrain to Robert E. Lee Boulevard. They control the flow of water from the lake into the bayou through sector and sluice gates. Hurricane Katrina caused major impacts to the Bayou St. John area. After floodwater was pumped out of the city, the sluice gates were still closed causing low water levels in the bayou and high salinity. Flood waters inundated City Park lagoons and greenways. Drainage from the project site is directed to storm sewers draining towards the roads, leading to the Marconi Drive canal. A site visit conducted by Nationwide Infrastructure Support Technical Assistance Consultants (NISTAC) on July 1, 2009 verified these findings.

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no adverse impacts to surface water.

Proposed Action Alternative – Under the Proposed Action Alternative, short-term impacts to downstream surface waters could occur during the construction period due to erosion of soils during construction. A storm water pollution prevention plan should be prepared and BMP's for storm water management should be implemented to minimize any detrimental effects to water quality during construction. To reduce impacts to surface water, the applicant should implement appropriate Best Management Practices (BMPs), such as installing silt fences and revegetating bare soils. Assuming these mitigation measures are adhered to, impacts to local water quality are expected to be minor, localized and short-term in duration.

The removal of the parking lot and tennis courts will also decrease impervious coverage, although the parking and tennis facilities will be relocated in other areas of the park. On June 12, 2009, letters requesting project review were sent to the U.S. Environmental Protection Agency (USEPA), the Louisiana Department of Environmental Quality (LDEQ), and the Louisiana Department of Natural Resources, the National Oceanic & Atmospheric Administration National Marine Fisheries, United States Army Corps of Engineers, and USFWS (Appendix B). There have been no objections to this project.

4.2.2 Wetlands

The U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged or filled material into waters of the U.S., including wetlands, pursuant to Section 404 of the Clean Water Act (CWA). Wetlands are identified 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. The USACE also regulates the building of structures in waters of the U.S. pursuant to the Rivers and Harbors Act (RHA). Additionally, EO 11990 (Protection of Wetlands) of 44CFR Part 9, 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.

According to the National Wetlands Inventory (NWI) map provided by the United States Fish and Wildlife Service (USFWS), the proposed project area indicated that no wetlands are located on the site (USFWS, 2009). A letter from the Corps of Engineers, New Orleans District dated July 20, 2009 stated that this property is not in a wetland subject to Corps of Engineers jurisdiction.

Alternative 1-No Action Alternative – The No Action Alternative would have no effect on wetlands or other waters of the U.S. and would not require permits under Section 404 of the CWA or Section 10 of the RHA.

Alternative 2 - Proposed Action Alternative – Under the Proposed Action Alternative, no wetland impacts are anticipated as no wetlands are located on or adjacent to the proposed project site. On June 12, 2009, letters requesting project review were sent to the U.S. Environmental Protection Agency (USEPA), the Louisiana Department of Environmental Quality (LDEQ), and the Louisiana Department of Natural Resources, the National Oceanic & Atmospheric Administration National Marine Fisheries, United States Army Corps of Engineers, and USFWS (Appendix B). No objections have been made.

4.2.3 Floodplains

Executive Order (EO) 11988 (Floodplain Management) requires federal agencies to avoid direct or indirect support of development within the 100-year floodplain whenever there is a practicable alternative. FEMA uses Flood Insurance Rate Maps (FIRMs) to identify the regulatory 100-year floodplain for the National Flood Insurance Program (NFIP).

The Parish of Orleans is enrolled in the NFIP, as of 08/03/1970. Per Preliminary Digital Flood Insurance Rate Map (DFIRM) panel 22071C0230 F, dated 11/13/2008, the project is located in shaded Zone X, an area of the 0.2% annual chance (500-year) flood; an area of the 1% annual chance (100-year) flood with average depths of less than 1 ft. or with drainage areas less than 1 square mile; and areas protected by levees from the 1% annual chance (100-year) flood.

No Action Alternative – Under the No Action Alternative, no construction would occur and there would be no impacts to floodplains.

Proposed Action Alternative – This is an alternate project that involves the Wisner Tennis Center at New Orleans City Park. The building and several tennis courts adjacent to the center will be demolished and the remaining funds will be used to develop a lawn area and an arbor in the same general area as the tennis center. Applicant is required to coordinate with the local floodplain administrator regarding permit requirements prior to the start of any activities. Per 44 CFR 9.11 (D)(9), for the replacement of building contents, materials and equipment, where applicable, 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 flood elevation.

All permits and certificates, and all coordination pertaining to these permit(s), should be documented and provided to the local floodplain administrator, to Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP) and to FEMA as part of the permanent project file. To comply with Executive Order 11988, Floodplain Management, FEMA is required to follow the procedure outlined in 44 CFR Part 9 to assure that alternatives to the proposed action have been considered. This process, also known as the "Eight Step Planning Process," has been completed.

4.3 Coastal Resources

Louisiana Department of Natural Resources (LDNR) regulates development in the designated coastal zone under the Coastal Zone Management Act (CZMA) of 1978. CZMA enables coastal states, including Louisiana, to designate state coastal zone boundaries and develop coastal management programs to improve protection of sensitive shoreline resources and guide sustainable use of coastal areas. The Act establishes a system of Coastal Use Permits (CUP) to regulate uses and activities in the coastal zone. These permits are required for projects which have a direct or indirect impact on coastal waters

The United States Fish and Wildlife Service (USFWS) regulate federal funding in Coastal Barrier Resource System Units (CBRS) under the Coastal Barrier Resources Act (CBRA). The act protects undeveloped coastal barriers and related areas (Otherwise Protected Areas) by prohibiting direct or indirect federal funding of projects in these areas that might support development. The purpose is to promote more appropriate use and conservation of coastal barriers along the Gulf of Mexico.

Alternative 1-No Action Alternative – The No Action Alternative would have no effect on the coastal zone or the Coastal Barrier Resource System.

Alternative 2 - Proposed Action Alternative – The Park is located in the designated Louisiana Coastal Management Zone. Removal of the tennis center building, parking area and several tennis courts and replacement with a Great Lawn, will not have a direct nor indirect impact on coastal waters or the Coastal Barrier System.

4.4 Transportation

The site is located between Dreyfous Avenue and Victory Avenue within City Park, New Orleans. The site is south of the New Orleans Botanical Garden and Storyland Amusement Park. The site is to the west of the New Orleans Museum of Art and east of remaining tennis courts. The speed limit is a maximum of twenty (20) miles per hour on both of these roadways. Traffic volumes on these roads vary due to given events held at these facilities.

No Action Alternative – Under the No Action Alternative, no impacts to transportation, site access, or traffic levels are anticipated.

Proposed Action Alternative – Being centrally located the promenades provide for pedestrian access between these facilities. Access to the proposed project site would be provided from either Dreyfous Avenue or Victory Avenue. The proposed action would support connectivity to existing and potential recreational assets.

There would be a minor temporary increase in the volume of construction traffic on roads in the immediate vicinity of the proposed project site that could potentially result in a slower traffic flow for the duration of the construction phase, with additional delays during events. Construction traffic should be controlled and monitored as appropriate. All construction activities should be conducted in a safe manner in accordance with Occupational Safety and Health Act (OSHA) requirements. To mitigate potential delays, construction vehicles and equipment would be stored on site during project construction and appropriate signage would be posted on affected roadways. Minor, long-term impacts to traffic levels on Dreyfous Avenue and Victory Avenue would occur as a result of traffic generated by individuals utilizing the proposed facility.

4.5 Public Health and Safety

Safety and security issues considered in this EA include the health and safety of the area residents and the general public that would be served by the new park, and the protection of personnel involved in activities related to implementation of the proposed project.

No Action Alternative – Under the No Action Alternative, no construction would occur and the safety of the general public would remain unchanged.

Proposed Action Alternative – Under the Proposed Action Alternative, construction activities could present safety risks to those performing the activities. To minimize risks to safety and human health, all construction activities would be performed using qualified personnel trained in all appropriate safety precautions, including the proper use of the appropriate equipment. Additionally, all activities will be conducted in a safe manner in accordance with the standards specified in OSHA regulations. To alert motorists and pedestrians of project activities, appropriate signage and barriers would be on site prior to and during construction activities. Enhancement of the Tri-Centennial area of City Park is not likely to result in adverse effects to the safety of the residents of Orleans parish.

4.6 Environmental Justice

EO 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” mandates that federal agencies identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. Socioeconomic and demographic data for the project area were reviewed to determine if the proposed action would have a disproportionate impact on minority or low-income persons. According to the U.S. Census, 74.1 % of the City of New Orleans is white, 12.4% is Black or African American, and 4.3% is Asian. The median household income is \$50,007, and 9.8% of families earn below poverty level.

No Action Alternative – Under the No Action Alternative, there would be no disproportionately high or adverse impacts on minority or low-income populations.

Proposed Action Alternative – Enhancement of City Park, New Orleans would not have adverse or disproportionate impacts on low-income or minority populations. The proposed project is a public park that will serve residents in Orleans parish.

4.7 Air Quality

The Clean Air Act (CAA) of 1963, as amended, provides for federal protection of air quality by regulating air pollutant sources and setting standards for certain air pollutants. Under CAA states adopt ambient air quality standards in order to protect the public from potentially harmful amounts of pollutants. Under the CAA, the U.S. Environmental Protection Agency (EPA) establishes primary and secondary air quality standards. Primary air quality standards protect the public health, including the health of “sensitive populations, such as people with asthma, children, and older adults.” Secondary air quality standards protect public welfare by promoting ecosystems health, and preventing decreased visibility and damage to crops and buildings. EPA has set National Ambient Air Quality Standards (NAAQS) for the following six criteria pollutants: ozone (O₃), particulate matter (PM_{2.5}, PM₁₀), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), and lead (Pb). According to EPA, the Parish of Orleans, Louisiana is classified as in attainment, meaning that criteria air pollutants do not exceed the NAAQS (EPA 2009).

No Action Alternative – Under the No Action Alternative, there would be no short- or long-term impacts to air quality because no construction would occur.

Proposed Action Alternative – Under the Proposed Action Alternative, short-term impacts to air quality could occur during construction. Particulate emissions from the generation of fugitive dust during project construction would be increased temporarily in the immediate project area as a result of this alternative. Other emission sources on site would be internal combustion engines and heavy construction equipment. To reduce temporary impacts to air quality, the construction contractors would be required to water down construction areas when necessary to minimize particulate matter and dust. Emissions from fuel-burning internal combustion engines (e.g., heavy equipment and earthmoving machinery) could temporarily increase the levels of some of the criteria pollutants, including CO, NO₂, O₃, PM₁₀, and non-criteria pollutants such as volatile organic compounds. To reduce the emission of criteria pollutants, fuel-burning equipment running times would be kept to a minimum and engines would be properly maintained. Long term emissions, such as those generated by small engines used for lawn maintenance and offsite generation of electrical power are expected to be minor and localized.

4.8 Noise

Noise is generally defined as unwanted sound. Sound is most commonly measured in decibels (dB) on the A-weighted scale, which is 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. EPA guidelines, and those of many other federal agencies, state that outdoor sound levels in excess of 55 dB DNL are “normally unacceptable” for noise-sensitive land uses including residences, schools, or hospitals (EPA, 1974).

No Action Alternative – Under the No Action Alternative, there would be no short- or long-term impact to noise levels because no construction would occur.

Proposed Action Alternative – Under the Proposed Action Alternative, enhancement of the Tri-Centennial area of City Park would result in short-term increases in noise during the construction period. Equipment and machinery utilized on the proposed project site would meet all local, state, and federal noise regulations. Normal activities at the new facility are unlikely to affect sensitive receptors in the area.

4.9 Biological Resources

The U.S. Fish and Wildlife Service (USFWS) lists the following federally endangered (E) and threatened (T) animal species for Orleans Parish (USFWS, 2009):

Common Name	Scientific Name	Status
Gulf sturgeon	<i>Acipenser oxyrhynchus desotoi</i>	T (CH)
West Indian manatee	<i>Trichechus manatus</i>	E
Brown pelican	<i>Pelecanus occidentalis</i>	E
Pallid sturgeon	<i>Scaphirhynchus albus</i>	E
(CH) = Listed with critical habitat		

The site visit conducted on July 1, 2009, confirmed that the proposed project site does not contain habitat for any federally listed flora and fauna; therefore it is unlikely that any threatened or endangered species are present.

No Action Alternative – Under the No Action Alternative, there would be no impacts to biological resources.

Proposed Action Alternative – Under the Proposed Action Alternative, approximately 3 acres of tennis courts and parking lot would be converted to a grassy lawn and promenade. No suitable habitat for any federally listed flora and fauna species is located within the areas to be impacted by the proposed project activities. Therefore, under the Proposed Action Alternative, there would be no impacts to threatened or endangered species.

The proposed project site is comprised of level terrain, and will be planted with rows of palm trees around the perimeter of a lawn area of sod and Bermuda grass (*Cynodon dactylon*). These are non-native species. The proposed action utilizes non-native plants for landscaping. Although non-invasive, the non-native plants often push out native plants and reduce biodiversity. Often native animals suffer too since they do not use these plants for food or shelter.

The lawn will provide increased pervious area compared to the pre-existing parking lot and tennis courts. However, these facilities will be relocated within the park, so there may be no net increase in pervious surface. The lawn will require maintenance. There are plans for an irrigation system to maintain high quality grass cover. It will also require fertilization and mowing on a routine basis.

4.10 Cultural Resources

Section 106 of the National Historic Preservation Act (NHPA), as amended, and implemented by 36 CFR Part 800, requires federal agencies to consider the effects of their actions on historic properties and provide the Advisory Council on Historic Preservation (ACHP) an opportunity to comment on federal projects that will have an effect on historic properties prior to implementation. Historic properties are defined as archeological sites, standing structures, or other historic resources listed in or eligible for listing in the National Register of Historic Places (NRHP).

A FEMA Archeologist and a FEMA Architectural Historian, both qualified in their respective disciplines under the Secretary of the Interior's Professional Qualifications Standards (36 CFR Part 61), conducted an assessment of the project's potential to affect historic properties within the Area of Potential Effects (APE). The APE is the geographic area within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. For archaeological resources, the APE consists of the proposed site. Upon consultation of data provided by the State Historic Preservation Office (SHPO), there are no archeological sites within .5miles of the APE (Appendix A). For historic architectural resources, the APE for standing structures includes all elements within the New Orleans City Park Historic District from which "The Great Lawn" will be visible (Figure Appendix A). A formal inventory of the New Orleans City Park Historic District has not been completed. In lieu of a formal inventory, FEMA reviewed the eligibility of individual resources located within the district. Contributing elements within the view shed of "The Great Lawn" include the Old Tennis Lounge. One previously identified non-contributing resource, the Wisner Tennis Center building as well as several non-contributing tennis courts associated with the complex, have been demolished. Newly identified contributing elements within the APE for "The Great Lawn" project include the C.T Parker Building, the Peristyle, and Popp's Bandstand. These newly identified contributing elements all date to the period of significance (ca. 1891 to 1957) and convey significance under Criterion C for their representation of Classical Revival and Art Deco-style architecture. Please see the attached Determination of Eligibility for more information about these three resources.

On April 17, 2009, 2 FEMA archeologists, and SHPO liaisons visited the APE to assess the impact to historic properties by the demolition, slab removal, and return to green space of the adjacent Wisner Tennis Center and Court Complex. Visual inspection of the APE did not reveal any evidence of artifacts or cultural resources.

No Action Alternative –The No Action Alternative would not affect cultural resources at City Park.

Proposed Action Alternative – The scope of work indicates ground disturbing activities associated with the development of a lawn area and arbor know as "The Great Lawn". Under the Proposed Action Alternative, no impacts to archeological or historic architectural resources are anticipated.

In letters dated June 8, 2009 to the SHPO, FEMA determined that the proposed undertaking will not adversely affect the eligible historic district. However, if during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the Applicant

shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The Applicant shall inform their Public Assistance (PA) contacts in FEMA who will in turn contact FEMA Historic Preservation Staff. Work will not proceed until FEMA Historic Preservation Staff has completed consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The Applicant shall notify the local law enforcement agency within 24 hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within 72 hours of the discovery. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.

5.0 CUMULATIVE IMPACTS

According to the Council on Environmental Quality (CEQ) regulations, cumulative impacts represent 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 CFR 1508.7).” In accordance with NEPA and to the extent reasonable and practical, this EA considered the combined effect of the Proposed Action Alternative and other actions occurring or proposed in the vicinity of the proposed project site.

New Orleans and the entire Louisiana Gulf coast are undergoing recovery efforts after Hurricane Katrina caused extensive damages. The recovery efforts in the area include demolition, reconstruction, and new construction. These projects and the proposed project may have cumulative temporary impacts on air quality, noise, traffic, and surface water resources in New Orleans during construction activities. No other cumulative effects are anticipated.

6.0 CONDITIONS AND MITIGATION MEASURES

Based upon the studies and consultations undertaken in this EA, several conditions must be met and mitigation measures must be taken by the applicant prior to and during project implementation.

- A storm water pollution prevention plan should be prepared and BMP’s for storm water management should be implemented to minimize any detrimental effects to water quality during project implementation.
- Any fill or borrow material used in the repair activities must be sourced from sites that do not contain any buried cultural materials (i.e. wells, cisterns, foundations, basements, prehistoric Indian artifacts, human burials, and the like). If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the applicant shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The applicant shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The applicant will not proceed with work until FEMA HP completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is

required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery. Failure to comply with these stipulations may jeopardize receipt of FEMA funding.

- To reduce potential short term effects to air quality from construction related activities, the contractor should be responsible for using Best Management Practices to reduce fugitive dust generation and diesel emissions.
- All construction activities should be conducted in a safe manner in accordance with OSHA requirements.
- If hazardous constituents are unexpectedly encountered in the project area during the proposed construction operations, appropriate measures for the proper assessment, remediation and management of the contamination should be initiated in accordance with applicable federal, state, and local regulations.
- Appropriate measures to prevent, minimize, and control spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated should be disposed of in accordance with applicable federal, state, and local requirements.
- All construction should be coordinated with the local floodplain administrator and comply with floodplain ordinance. All permits and certificates, and all coordination pertaining to these permit(s), should be documented and provided to the local floodplain administrator, to Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP) and to FEMA as part of the permanent project file. Per 44 CFR 9.11(d) (9), the replacement of building contents, materials and equipment, where possible, disaster proofing of the building and/or elimination of such future losses by relocation of those building contents, materials and equipment to or above the Advisory Base Floodplain Elevation (ABFE).

7.0 PUBLIC INVOLVEMENT AND AGENCY COORDINATION

A Public Hearing was on a Draft of the City Master Plan on Tuesday, February 22, 2005, in the Pavilion of the Two Sisters, 7 to 9:30 p.m. Approximately 250 people were in attendance. The Great Lawn project was one of many projects discussed at the meeting. Written and oral comments were recorded. The Draft Master Plan is available for review on the City Park website.

FEMA is the lead federal agency for conducting the NEPA compliance process for this Public Assistance project. It is the responsibility of the lead agency to conduct the preparation and review of NEPA documents in a way that is responsive to the needs of the Orleans Parish community while meeting the spirit and intent of NEPA and complying with all NEPA provisions. As part of the development of early interagency coordination related to the proposed action, state and federal resource protection agencies were contacted. These agencies include State Historic Preservation Officer, United States Fish and Wildlife Service, Natural Resources

Conservation Service, the Governor's Office of Homeland Security and Emergency Preparedness, Louisiana Department of Environmental Quality, United States Environmental Protection Agency, Louisiana Department of Natural Resources, United States Army Corps of Engineers, and National Oceanic & Atmospheric Administration National Marine Fisheries Service. FEMA has received no objections to the project as proposed subsequent to these notifications.

In accordance with applicable local, state, and federal regulations, the applicant would be responsible for acquiring any necessary permits prior to commencing construction at the proposed project site.

FEMA is also inviting the public to comment on the proposed action during a fifteen (15) day comment period. A public notice will be published in the local newspaper, New Orleans Times Picayune, announcing the availability of this EA for review at the New Orleans Mid-City Branch Library, 330 North Carrollton Ave, New Orleans, LA 70119. A copy of the Public Notice is attached in Appendix C.

8.0 CONCLUSIONS

No impacts to geology, groundwater, floodplains, waters of the U.S. including wetlands, hazardous materials, socioeconomic, environmental justice, biological resources, or cultural resources are anticipated under the Proposed Action Alternative.

During the construction period, short-term impacts to soils, surface water, transportation, air quality, and noise are anticipated. Short-term impacts will be mitigated utilizing BMPs, such as silt fences, proper equipment maintenance, and appropriate signage. Minor, long-term impacts to traffic levels on Victory Avenue and Dreyfous would occur.

Based upon the studies and consultations undertaken in the preparation of this EA, and given the precautionary and mitigating measures, there do not appear to be any significant environmental impacts associated with the enhancement of City Park by the creation of the Great Lawn.

9.0 LIST OF PREPARERS

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