

4.4 Coastal Resources

The Coastal Zone Management Act of 1972 (CZMA) requires federal agency actions to be consistent with the policies of the state coastal zone management program when conducting or supporting activities that affect a coastal zone. The Louisiana Department of Natural Resources (LDNR) regulates development in Louisiana's designated coastal zone through the Coastal Use Permit Program. The existing facility and the proposed project site are located in the coastal zone and are required to obtain a Coastal Use Permit prior to construction (*Appendix B*).

The USFWS regulates federal funding in Coastal Barrier Resource System (CBRS) units under the Coastal Barrier Resources Act (CBRA). This Act protects undeveloped coastal barriers and related areas (*i.e.*, Otherwise Protected Areas) by prohibiting direct or indirect federal funding of projects that support development in these areas. The Act promotes appropriate use and conservation of coastal barriers along the Gulf of Mexico. The proposed project site is not located within a regulated CBRS unit.

Alternative 1 – No Action: The No Action Alternative would have no adverse effects on a coastal zone or to a CBRS unit.

Alternative 2 – Reconstruction in Original Location: Reconstruction of Stallings Center in substantially its original footprint would involve construction in a designated coastal zone. This project requires a Coastal Use Permit from LDNR. The City of New Orleans is required to contact LDNR prior to initiating work. The original site is not within a CBRS unit; therefore, it does not trigger the CBRA.

Alternative 3 – Reconstruction at an Alternate Location - Preferred Alternative: The Proposed action would involve construction in a designated coastal zone. This project requires a Coastal Use Permit from LDNR. The City of New Orleans is required to contact LDNR prior to initiating work. The proposed site is not within a CBRS unit; therefore, the proposed action does not trigger the CBRA.

4.5 Biological Resources

The Endangered Species Act (ESA) of 1973 prohibits the taking of listed, threatened, and endangered species unless specifically authorized by permit from the USFWS or the National Marine Fisheries Service. "Take" is defined 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 by the ESA regulations 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. The West Indian manatee, Gulf sturgeon and pallid sturgeon are species federally listed as threatened or endangered found in Orleans Parish.

Alternative 1 – No Action: The No Action Alternative would have no impact on species federally listed as threatened or endangered.

Alternative 2 – Reconstruction in Original Location: Reconstruction of Stallings Center in substantially its original footprint would have no impact on species federally listed as threatened or endangered.

Alternative 3 – Reconstruction at an Alternate Location - Preferred Alternative: Inspections of the proposed relocation site did not indicate the presence of any species federally listed as threatened or endangered. In correspondence dated January 21, 2011, the USFWS stated that the project, as proposed, would have no effect on federal trust resources under its jurisdiction and currently protected by the ESA (*Appendix B*). The National Oceanic & Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) had no comment to the project scoping notification sent on January 14, 2011 (*Appendix B*).

4.6 Cultural Resources

The consideration of impacts to historic properties listed on or eligible for the National Register of Historic Places is mandated under Section 106 of the National Historic Preservation Act (NHPA) as implemented by 36 CFR Part 800. Requirements include the identification of significant historic properties that may be impacted by the proposed action or alternatives within the project's area of potential effect. Historic properties are defined as archaeological sites, standing structures or other historic resources listed in or determined eligible for listing in the National Register of Historic Places. If adverse effects on historic, archaeological or cultural properties are identified, agencies must consider effects of their activities and attempt to avoid, minimize, or mitigate the impacts to these resources.

FEMA, the Louisiana State Historical Preservation Office (SHPO), the Louisiana Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP), the Alabama-Coushatta Tribe of Texas (ACTT), the Caddo Nation (CN), the Chitimacha Tribe of Louisiana (CTL), the Choctaw Nation of Oklahoma (CNO), the Coushatta Tribe of Louisiana (CT), the Jena Band of Choctaw Indians (JBCI), the Mississippi Band of Choctaw Indians (MBCI), the Quapaw Tribe of Oklahoma (QTO), the Seminole Nation of Oklahoma (SNO), the Seminole Tribe of Florida (STF), the Tunica-Biloxi Tribe of Louisiana (TBTL), and the Advisory Council on Historic Preservation (ACHP) have executed a Statewide Programmatic Agreement (PA) dated August 17, 2009 to streamline the Section 106 review process (hereafter referred to as the Statewide PA). The proposed action is subject to the standard project review stipulation of the Statewide PA.

Existing Conditions

Standing Structures

Based on research using the National Register of Historic Places (NRHP) database and the Louisiana Cultural Resources Map on the Louisiana Division of Historic Preservation's website, FEMA has determined that the project area is located within the Bywater National Register Historic District (NRHD) which was NRHP listed on January 23, 1986. The project area is also located adjacent to the Bywater Historic District Expansion which FEMA determined eligible for NRHP listing in 2005. SHPO concurred with this determination on December 8, 2005.

The Stallings Center Gymnasium was constructed in 1948, outside the 1807-1935 period of significance for the Bywater NRHD. FEMA determined the Stallings Center Gymnasium and its associated swimming pool was not eligible for the NRHP. SHPO concurrence with this determination was received on March 22, 2006. The Stallings Center Gymnasium was demolished in March–April, 2010, although the pool is still extant.

Archaeological Properties

The project location falls within the Orleans Parish Moderate Probability Zone for potential archaeological or historic resources. The 1878 Hardee Map shows that City Block 350 was fully developed by this period. The 1883 Robinson Map of New Orleans as well as the 1896, 1908, 1937 Sanborn Fire Insurance Maps show the block as developed and occupied largely by a Streetcar Barn, storage sheds, a dwelling, and several ancillary support facilities for the electric streetcar operation. The Streetcar Barn and its support facilities were demolished 1948 to clear the site for the construction of the Stallings Center.

In December 2005, Earth Search, Inc. (ESI) recorded archaeological site 16OR213 on the north half of Block 350 while monitoring the installation of temporary emergency housing for FEMA. ESI documented intact brick features and a mid to late nineteenth century trash midden (Yakubik 2007). The site was recorded on the Louisiana Division of Archaeology State Site Card as having “Undetermined” NRHP eligibility.

In 2009, FEMA reviewed a project worksheet for the demolition and reconstruction of the Stallings Gymnasium on its original footprint. On December 17, 2009, FEMA determined that the demolition, slab removal, and replacement of the Stallings Gymnasium would have ‘No Adverse Effect to Historic Properties’ with the condition that an archaeological monitor be present during all ground disturbing activities because of the proximity of site 16OR213 on the adjacent lots. SHPO concurred with this determination on December 28, 2009. In accordance with the Statewide PA, FEMA also provided the ACTT, the CTL, the CNO, the CT, the JBCI, the MBCI, the QTO, the SNO, the STF, and the TBTL with the opportunity to review and comment on FEMA’s identification, evaluation, and effect determination. No comments were received from Tribes regarding this undertaking.

FEMA conducted the required archaeological monitoring during the demolition of the Stallings Center Gymnasium from March 26th to April 15th, 2010. As a result of this monitoring FEMA determined that resources associated with site 16OR213 extended under the footprint of the Gymnasium but had been severely disturbed during its construction in the 1940s and represented an ineligible locus of site 16OR213. These findings were documented in the Draft Report entitled, *Archaeological Demolition Monitoring of Stallings Community Center Gymnasium in Orleans Parish, New Orleans, Louisiana* and were submitted by FEMA to SHPO on July 7, 2010. SHPO concurred with FEMA’s determination in a letter dated September 3, 2010 agreeing that the southern portion of 16OR213 is not eligible for the NRHP. The Final Draft of this report was submitted by FEMA to SHPO on November 18, 2010.

The City of New Orleans recently notified FEMA that it would construct the gymnasium and pool on a new location at the north end of Block 350. In order to meet its identification and evaluation responsibilities, FEMA contracted for a Phase I/II Testing of 16OR213 with Trigon

Associates LLC/Cultural Resources Analyst (Trigon/CRA). Trigon/CRA conducted mechanical trenching and hand excavation of test units within the original site recorded by ESI on the north end of Block 350. These excavations resulted in the recordation of what appears to be the remains of a brick lined privy, a brick well, a buried wooden plank, and a concrete floor likely associated with the 1916 car barn. Artifacts encountered during excavation efforts were representative of a late nineteenth and early twentieth century industrial site with a minor early to mid-nineteenth century domestic component. Trigon/CRA's *Management Summary Phase II Archaeological Testing at Site 16OR213, New Orleans, Louisiana*, Avery (2010) recommends that site 16OR213 is eligible for the NRHP under Criterion D. Based on the Trigon/CRA findings, FEMA determined that portions of site 16OR213 are eligible for listing on the NRHP. SHPO concurred with FEMA's finding on December 3, 2010. The *Management Summary* was submitted to Indian tribes on November 1, 2010. The JBCI concurred with FEMA's finding on November 2, 2010 and other no comments have been received.

Alternative 1 - No Action: This alternative does not include any FEMA undertaking; therefore FEMA has no further responsibilities under Section 106 of the National Historic Preservation Act.

Alternative 2 – Reconstruction in Original Location: In kind reconstruction of the demolished Stallings Center gymnasium within the same footprint and repair of the pool facility would not affect any below ground cultural resources. However, if the replacement facility does not have the same massing, height, scale and materials as the original facility, FEMA will need to address potential visual effects on the NRHP-listed Bywater Historic District and the NRHP-eligible Bywater Historic District Expansion.

Alternative 3 - Reconstruction at an Alternate Location - Preferred Alternative: The proposed undertaking, which includes the relocation of the Stallings gymnasium to a location north of the former facility and the repair of the pool facility, was examined to determine its effect on historic resources. FEMA defined the Archaeological Area of Potential Effects (APE) as a 2-acre parcel encompassing most of the west half of City Block 350, and includes the footprint of the previously demolished Stallings Gymnasium. The Standing Structures APE includes City Block 350 and the surrounding neighborhood within the view shed of the project area.

Based on archaeological investigations from October 2010, FEMA determined that the scope of work outlined in PW 1603-4835 would result in an Adverse Effect to Historic Properties, specifically archaeological site 16OR213. Additionally, the scope of work may introduce visual elements that could result in an Adverse Effect to the Bywater NRHD and the Bywater Historic District Expansion. SHPO concurred with this determination on January 14, 2011. On December 28, 2010, FEMA also provided Indian tribes with the opportunity to review and comment on FEMA's adverse effect determination. The ACTT notified FEMA on January 25, 2011 that the nature of the affected properties indicates that "no impacts to religious, cultural, or historic assets of the Alabama-Coushatta Tribe of Texas should occur in conjunction with this proposal." The ACTT declined to comment on the adverse effect determination and notified FEMA that it did not foresee a need to participate in the development of the proposed Memorandum of Agreement (MOA) The ACTT requested to be notified in the event of an inadvertent discovery of Native American remains or archaeological artifacts. No other Tribes have responded to FEMA's notice

as of this date. FEMA notified the Advisory Council on Historic Preservation (ACHP) of the Averse Effect to Historic Properties. The ACHP declined to participate in the Section 106 consultation process on January 31, 2011.

In order to avoid, minimize, and mitigate adverse effects to historic properties, FEMA is proceeding with the Section 106 review process through the development of a Memorandum of Agreement (MOA). FEMA has recognized the Bywater Neighborhood Association and SmartGrowth Bywater as consulting parties in the Section 106 review process. The first Section 106 consultation meeting with the City of New Orleans, SHPO, and consulting parties was held on April 11, 2011. Anticipated measures to avoid, minimize, and mitigate the adverse effect to archaeological site 16OR213 and potential effects to the historic districts include additional archaeological investigations and a design review of the new facility. FEMA anticipates that the resulting MOA will be complete in September 2011.

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 air pollutants. Under the 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, Orleans Parish, Louisiana is classified as in attainment, meaning that criteria air pollutants do not exceed the NAAQS (EPA 2009).

Alternative 1 - No Action: Under the No Action Alternative, there would be no short- or long-term impacts to air quality because no construction would occur.

Alternative 2 – Reconstruction in Original Location: Reconstruction of Stallings Center in substantially its original footprint would temporarily impact air quality in the form of increased emissions during construction.

Alternative 3 - Reconstruction at an Alternate Location - Preferred Alternative: Minor impacts would be anticipated from movement of heavy equipment during construction activities. To further minimize temporary air quality impacts, the City of New Orleans and its contractors shall implement BMPs to limit emissions, fugitive dust and exhaust during project activities at Stallings Center and Pool. BMPs would include maintaining and covering spoil piles, covering the loads of haul vehicles, and keeping construction equipment properly tuned. Long-term emissions associated with the new facility, such as those generated by small engines used for

lawn maintenance and offsite generation of electrical power, are expected to be minor and comparable to emissions generated by the previously existing facilities.

4.8 Noise

Commonly defined as unwanted and/or unwelcome sound, noise is federally regulated by the Noise Control Act of 1972. Although this Act tasks the USEPA with preparing guidelines for acceptable ambient noise levels, it only charges those federal agencies that operate noise-producing facilities or equipment to implement noise standards. Therefore, by the nature of its mission, FEMA does not have statutes defining noise; however, New Orleans, Louisiana Code of Ordinances (Section 66-202) has made it unlawful to exceed maximum permissible sound limits in residential and noise-sensitive areas of public spaces.

The Ordinance places restrictions on any machinery, equipment or device that makes or causes a noise that exceeds 60 decibels between 7:00 a.m. and 10:00 p.m. and a noise that exceeds 55 decibels between 10:00 p.m. and 7:00 a.m., as monitored from the exterior of the property where the source of the sound is located. Repairs performed by public agencies or utility companies are exempted from this restriction.

Alternative 1 – No Action: The No Action Alternative would have no noise impacts on sensitive receptors.

Alternative 2 – Reconstruction in Original Location: Reconstruction of Stallings Center in substantially its original footprint would result in a temporary increase in noise levels at and around the proposed project site because of the operation of construction equipment and increased vehicular activity.

Alternative 3 – Reconstruction at an Alternate Location - Preferred Alternative: The construction of the new Stallings Center and Pool would result in a temporary increase in noise levels at and around the proposed project site because of the operation of construction equipment and increased vehicular activity. Noise-sensitive receptors are subject to stress or significant interference from noise. Examples include residential dwellings, mobile homes, hotels, motels, hospitals, nursing homes, educational facilities, libraries and places of worship. There are residential dwellings approximately 200 feet south, east and west of the proposed project site, and the Daughters of Charity Health Clinic, which provides primary and preventative care for infants, children, adults and seniors, is approximately 200 feet southwest of the project site. A reconnaissance on January 31, 2011, indicated no other noise-sensitive receptors in the vicinity of the proposed project site. The increased noise at other times would be localized and short-term.

After the construction of the new facility, there would be increased noise at and around the facility due to increased occupancy of the developed site. Noises from vehicular traffic to the facility and day-to day operation and maintenance of the facility are expected. These long-term effects would have minimal to no significant adverse impact on people in the vicinity of the proposed project.

4.9 Traffic

The proposed project site lies at the corner of St. Claude Avenue and Lesseps Street in New Orleans. Entrance onto the site is from Lesseps Street on the west, which provides direct vehicular site access and egress. On street parking is available on St. Claude Avenue and Lesseps Street.

Alternative 1 – No Action: The No Action Alternative would have no impact on traffic; since the building would not be constructed, there would be no increase in traffic.

Alternative 2 – Reconstruction in Original Location: Reconstruction of Stallings Center in substantially its original footprint would have a temporary influence on traffic by slightly increasing the number of heavy vehicles on the adjoining roadways.

Alternative 3 – Reconstruction at an Alternate Location - Preferred Alternative: The Proposed action would have a temporary influence on traffic by slightly increasing the number of heavy vehicles on the adjoining roadways. Construction traffic shall be monitored for potential traffic incidents and suitable traffic control measures must be taken by the City of New Orleans and the onsite workers as needed.

A long-term increase in traffic and increased demand for parking will result from the construction of the new facility, but the effects are anticipated to be planned into the proposed construction and result in minimal change to the current conditions. In addition, a new requirement of off-street parking would be required, according to Building Ordinance 23.147& 4, adopted July 7, 2008.

4.10 Hazardous Materials

The management of hazardous materials is regulated under various federal and state environmental and transportation laws and regulations, including the Resource Conservation and Recovery Act (RCRA), the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Emergency Planning and Community Right-to-Know Act, 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 materials. Some of these laws provide for the investigation and cleanup of sites that have already been contaminated by releases of hazardous materials, wastes, or substances.

A database search prepared for the proposed project site revealed that there are no Louisiana Volunteer Remedial Program (VRP)/Brownfield sites located on the proposed site. No sites of concern were found during a review of the Environmental Document Management System (EDMS) database for other hazardous waste management and disposal, solid waste disposal, storage tank, enforcement, and other databases on the proposed site. There are no recorded oil and gas wells on or near the proposed property. A search of the Louisiana Department of Environmental Quality (LDEQ) Leaking Underground Storage Tank (LUST) database revealed

no recorded LUST sites within 0.25 miles of the site. A database search prepared for the proposed project site revealed that there are no Louisiana Volunteer Remedial Program (VRP)/Brownfield sites located within 0.5 miles of the site.

A major source of lead in soils is dust and chips from lead paint used in older homes. Because of its large number of older homes and compact urban area, New Orleans has historically had high lead concentrations. At least 37 New Orleans city parks, including the Stallings Center, are located in census tracts where tests conducted in 2000 found levels of lead in soil of more than 400 parts per million (ppm), the level the Environmental Protection Agency (EPA) and the LDEQ define as dangerous in residential/recreational soils (*Appendix B*). The City of New Orleans' Department of Health and the Office of Coastal and Environmental Affairs contracted Materials Management Group, Inc. (MMG) to conduct a new lead soil investigation at Stallings Center Park during March of 2011 (*Appendix B*). The investigation found that soil lead results ranged from <40 ppm to 3500 ppm at the Stallings Center. An estimated 400 square foot area of the site contains lead levels that exceed regulatory requirements for recreational use.

Alternative 1 – No Action Alternative: The No Action alternative would not disturb any hazardous materials or create any potential hazard to human health.

Alternative 2 – Reconstruction in Original Location: No hazardous materials, wastes, or substances (including contaminated soil or groundwater) have been identified at the original site. Reconstruction of Stallings Center in substantially its original footprint would not disturb any hazardous materials or create any potential hazard to human health.

Alternative 3 – Reconstruction at an Alternate Location - Preferred Alternative: Findings indicate that lead levels in currently unimproved portions of the Stallings Center reach beyond regulatory standards for recreational use. Based on the conclusions of the 2011 MMG report, the 400 square foot contaminated area will need to be mitigated to remove the hazard. In a letter dated July 20, 2011, LDEQ indicated that since the 400 square foot area with surface soil levels above Risk Evaluation and Corrective Action Program (RECAP) screening standard levels would be covered by the footprint of the new recreation building, the exposure pathway will be eliminated. Based on this information, LDEQ issued a Letter of No Further Interest, in which they state that the Department does not intend to respond further regarding this matter. (*Appendix B*).

If other 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 shall be initiated in accordance with applicable federal, state, and local rules and regulations.

Project construction may involve the use of hazardous materials and may result in the generation of small volumes of hazardous wastes. Appropriate measures to prevent, minimize, and control spills of hazardous materials shall be taken, and any hazardous and non-hazardous wastes generated shall be disposed of in accordance with applicable federal, state, and local requirements.

4.11 Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, was signed on February 11, 1994. The EO 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 its programs, policies and activities on minority or low-income populations. The City of New Orleans proposes to render its new site “safe and secure” and to relocate its functions to the proposed new facility, a public center serving similar community support functions.

According to the most readily available U.S. Bureau of the Census American Community Survey 5-Year estimates for 2005-2009 for New Orleans, 31.8 percent of the population is white, 63.0 percent is black, 4.3 percent is Hispanic, 2.8 percent is Asian, 0.2 percent is Native American, and 0.1 percent is Native Hawaiian. The median household income was \$36,258.

Alternative 1 – No Action: The No Action Alternative would not involve the implementation of a federal program, policy or activity. Therefore, there would be no disproportionate adverse impacts to low-income or minority populations.

Alternative 2 – Reconstruction in Original Location: Reconstruction of Stallings Center in substantially its original footprint would have no disproportionate adverse impacts to low-income or minority populations.

Alternative 3 – Reconstruction at an Alternate Location - Preferred Alternative: The proposed action will not have disproportionate adverse human health, economic, or social effects on minority or low income populations. The activity would add development to a currently developed parcel of previously-disturbed urban land, and much of the surrounding land near the proposed site is currently developed. Residential neighborhoods begin approximately 200 feet west, east and south of the proposed project site (see Figure 3). The proposed facility would serve residents living throughout Orleans Parish. Therefore, there will be no disproportionate adverse impacts to low-income or minority populations.

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 effects can result from individually minor but collectively significant actions taking place over a period of time, (40 CFR 1508.7).

The entire Louisiana Gulf Coast is undergoing recovery efforts after the 2005 hurricane season which includes demolition, reconstruction, and new construction, within private sector as well as federal and state government. The USACE is undergoing one of the largest projects in their history, rebuilding the Greater New Orleans Hurricane and Storm Damage Risk Reduction System, which will improve approximately 350 miles of levees, concrete floodwalls, and other

structures to meet 100-year level of risk reduction. The Louisiana Department of Transportation and Development (LADOTD) has an unusually large number of infrastructure improvements ongoing in and around Orleans Parish such as the Huey P. Long Bridge widening, the I-10 Twin Span Bridge replacement, and the I-10 and Causeway interchange improvements. The combination of all recovery development projects, including those mentioned above would have cumulative effects to Orleans Parish. However, it is anticipated that the proposed action would not have cumulative impacts on resources addressed in this EA.

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 City of New Orleans (Applicant) prior to and during project implementation.

- City of New Orleans is required to coordinate construction activities with the local floodplain administrator and comply with the local floodplain ordinance. All permits and certificates, and all the associated coordination, must be documented and provided to the GOHSEP and to FEMA as part of the permanent project file. The lowest floor of the new structure must be elevated or flood proofed to or above the base flood elevation. Future losses shall be eliminated, reduced or minimized by relocating building contents, materials and equipment to or above the BFE.
- Fill or borrow material used 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, City of New Orleans and/or its contractors must immediately stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The Applicant and GOHSEP must inform the FEMA Public Assistance program, who would in turn contact the FEMA Historic Preservation staff. The Applicant must not proceed with work until FEMA completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act is required. In that situation, the Applicant must notify the local law enforcement agency within 24 hours of the discovery, and 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 FEMA funding of the project.
- Project construction would involve the use of potentially hazardous materials (*e.g.*, petroleum products, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, 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 and non-hazardous wastes are required to be disposed in accordance with applicable federal, state and local regulations.
- The project has been found by the LDNR to be inside the Louisiana Coastal Zone; therefore, they require that a complete Coastal Use Permit Application package (Joint Application

Form, locality 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.

7.0 PUBLIC INVOLVEMENT AND AGENCY CONSULTATION

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 Parish communities 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 and FEMA distributed an informal scoping notification through a Solicitation of Views.

These agencies include the State Historical Preservation Officer, U. S. Fish and Wildlife Service, the U.S. Department of Agriculture Natural Resources Conservation Service, the Governor's Office of Homeland Security and Emergency Preparedness, Louisiana Department of Environmental Quality, U. S. Environmental Protection Agency, Louisiana Department of Natural Resources, U. S. 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 and comments and conditions received have been incorporated into this NEPA document.

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 inviting the public to comment on the proposed action during a fifteen (15) day comment period. A public notice will be published for 5 days in the local newspaper, *The Times-Picayune*, announcing the availability of this EA for review at the Orleans Parish Main Library at 219 Loyola Avenue, New Orleans, LA. A copy of the Public Notice is attached in Appendix C.

8.0 LIST OF PREPARERS

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Appendix A
Site Photographs

DRAFT



View facing east of intersection of Lesseps Street and St. Claude Avenue



View facing north to St. Claude Avenue of Stallings Center proposed site



View facing south of former Stallings Center Gymnasium and adjacent Pool building



View facing south of the demolished Stallings Center Gymnasium former site



View facing southeast of remaining basketball court



View facing northwest of proposed Stallings Center (Lesseps Street)



View facing west of proposed Stallings Center site (Lesseps Street)



View facing southwest of Daughters of Charity Health Clinic (sensitive noise receptor)



View facing south of remaining Stallings Pool building



View facing north of remaining Stallings Center Pool building (North Rampart and Lesseps Street)

Appendix B
Agency Correspondence

DRAFT

Appendix C
Public Notice

DRAFT

**FEMA PUBLIC NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL ASSESSMENT FOR
CHANGE OF LOCATION OF THE STALLINGS CENTER AND POOL
FACILITY, ORLEANS PARISH, LOUISIANA**

Interested parties are hereby notified that the Federal Emergency Management Agency (FEMA) has prepared an Environmental Assessment (EA) for a proposed relocation and reconstruction of the Hurricane Katrina damaged Stallings Center and Pool formerly located at the corner of North Rampart Street and Lesseps Street, New Orleans, Louisiana. The proposed Community Center would replace the functions and capacity eligible for repair at the original facility in a new location adjacent to the previous site in the City of New Orleans located at 4300 St. Claude Avenue, New Orleans, LA at Latitude 29.96460, Longitude -90.03235. City of New Orleans seeks federal grant funds for this action eligible for repairs under a Presidential Disaster Declaration, signed on August 29, 2005 (FEMA-1603-DR-LA).

This proposed action would include developing an approximately 2.6-acre site (termed “Proposed Stallings Center and Pool Reconstruction Site”) adjacent to and on the south side of St. Claude Avenue approximately 290 feet west of its intersection with Poland Avenue, Orleans Parish, Louisiana. This would include constructing an approximately 15,484 square foot building, to mainly service the current needs in this community and the surrounding areas. Activities would include, where necessary, site clearing, grading, driveway construction, and placement of appurtenant utilities (electricity, telephones, water, and sewer) for the site. Per the National Environmental Policy Act (42 U.S.C. 4371 *et seq.*), and associated environmental statutes, a Draft EA has been prepared to evaluate the action’s potential impacts on the human and natural environment. The Draft EA summarizes the purpose and need, site selection process, affected environment, and potential environmental consequences associated with the proposed action.

The public comment period will be 15 days – August 16, 2011 through August 30, 2011. Written comments on the Draft EA or related matters can be faxed to FEMA’s Louisiana Recovery Office at (504) 762-2323; or mailed to FEMA Louisiana Recovery Office, 1 Seine Court, New Orleans, Louisiana 70114. The Draft EA can be viewed and downloaded from FEMA’s website: <http://www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm>. A public notice will be published for 5 days in the local newspaper, *The Times-Picayune* announcing the availability of the Draft EA for public review at the Orleans Parish Main Library at 219 Loyola Avenue, New Orleans, LA 70112, (hours are 10 a.m. - 6 p.m., Mon. - Thurs., 10 a.m. - 5 p.m., Fri. & Sat.).

Based on FEMA’s findings to date, no significant adverse environmental effects are anticipated. However, if FEMA receives new information that results in a change from no adverse effects then FEMA would revise the findings and issue a second public notice allowing time for additional comments. However, if there are no changes, this Draft EA will become the Final EA.

If no substantive comments are received, the Draft EA and associated Finding of No Significant Impact (FONSI) will become final and this initial Public Notice will also serve as the final Public Notice. Substantive comments will be addressed as appropriate in the final documents.



FEMA

**DRAFT FINDING OF NO SIGNIFICANT IMPACT
STALLINGS CENTER AND POOL
NEW ORLEANS, ORLEANS, LOUISIANA
*FEMA-1603-DR-LA***

Introduction

As a result of damages from Hurricane Katrina on August 29, 2005, the Federal Emergency Management Agency (FEMA) was authorized under Presidential disaster declaration (FEMA-1603-DR-LA) to provide Federal assistance to designated disaster areas in Louisiana. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93288) Section 406 authorizes FEMA's Public Assistance (PA) Program to provide financial and other forms of assistance to State and local governments to support response, recovery, and mitigation efforts following Presidentially declared disasters.

In accordance with 44 CFR Part 10, FEMA regulations to implement the National Environmental Policy Act (NEPA), an Environmental Assessment (EA) was prepared. The purpose of the EA was to analyze the potential environmental impacts associated with the relocation and construction of the Stallings Center and Pool and to determine whether to prepare an Environmental Impact Statement (EIS) or Finding of No Significant Impact (FONSI). Community services were lost on August 29, 2005, as a result of Hurricane Katrina. The Stallings Center offered residents a place to congregate, lift weights, play basketball/volleyball, swim, play bingo, or take classes such as ballet and ceramics. Restoration of essential recreational services in a location that best serves the local community is needed for FEMA PA to achieve its objective. The alternatives considered include 1) No Action 2) Reconstruction at the original location and 3) Reconstruction at the alternate location (Preferred Alternative).

Proposed Action

The proposed action includes the relocation and construction of a new facility at the corner of Lesseps Street and St. Claude Avenue in New Orleans.

Findings

FEMA has evaluated the proposed project for significant adverse impacts to geology, soils, water resources (groundwater, wetlands and floodplains), coastal resources, biological resources, cultural resources, air quality, noise, traffic, safety, hazardous materials and environmental justice. During the construction period, short-term impacts to soils, water quality, transportation,

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.

Based on archaeological investigations conducted in October 2010, FEMA determined that the scope of work would result in an Adverse Effect to Historic Properties and may also introduce visual elements that could result in an Adverse Effect to the Bywater National Register Historic District and the Bywater Historic District Expansion. The State Historic Preservation Office concurred with this determination on January 14, 2011. In order to avoid, minimize, and mitigate adverse effects to historic properties, FEMA is proceeding with the Section 106 review process through the development of a Memorandum of Agreement (MOA). The first Section 106 consultation meeting with the City of New Orleans, SHPO, and consulting parties was held on April 11, 2011. Anticipated measures to avoid, minimize, and mitigate the adverse effect to archaeological site 16OR213 and potential effects to the historic districts include additional archaeological investigations and a design review of the new facility. FEMA anticipates that the resulting MOA will be complete in September 2011.

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 City of New Orleans is required to coordinate construction activities with the local floodplain administrator and comply with the local floodplain ordinance. All permits and certificates, and all the associated coordination, should be documented and provided to the local floodplain administrator, to 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, require 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 ABFE.
- Any fill or borrow material used 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, City of New Orleans and/or its contractors should stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The City should inform the FEMA Public Assistance program, who would in turn contact the FEMA Historic Preservation staff. The City would not proceed with work until FEMA completes consultation with the SHPO. In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act is required. In that situation, the City should notify the local law enforcement agency within 24 hours of the discovery, and 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 FEMA funding of the project.

- The City of New Orleans and its contractors should ensure all project activities are conducted in a safe manner and in compliance with all state and federal occupational safety regulations, including OSHA, to protect workers and the general public.
- If hazardous constituents are encountered, appropriate measures for the proper assessment, remediation and management of the contamination should be initiated in accordance with applicable federal, state and local regulations.

Conclusion

The results of these evaluations, as well as consultations and input from other federal and state agencies, are presented in the EA. The Section 106 review process will need to be complete, including public participation, upon finalization of this EA and FONSI. 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 EIS will not be prepared (per 44 CFR Part 10) and the proposed project as described in the EA may proceed once finalized.

Public Review and Comment

The EA can be viewed and downloaded from FEMA’s website at www.fema.gov/plan/ehp/envdocuments/ea-region6.shtm. The EA was also available for public review at the Orleans Parish Main Library at 219 Loyola Avenue, New Orleans, LA. A legal notice was posted in the local newspaper on 8/16/11 through 8/30/11. No substantive comments were received; therefore the Draft EA will become final and the initial Public Notice will also serve as the final Public Notice.

Approval:

Katherine Zeringue, Environmental Liaison Officer Date
Louisiana Recovery Office
FEMA-1603/1607-DR-LA

Joe Threat, Director Date
Louisiana Recovery Office
FEMA-1603/1607-DR-LA