

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



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