

consultation with SHPO, previously determined that the library is not listed or eligible to be listed on the National Register of Historic Places. SHPO concurred October 30, 2007.

### *Archaeological Properties*

The project location falls within the Orleans Parish High Probability Zone for potential archaeological or historic resources. Upon consultation of data provided by the SHPO, there are several archaeological sites within 0.5 miles of the APEs. None of the sites will be affected by the current Undertaking. Hardee's 1878 map entitled *New Orleans* shows this general area as developed although no structures are shown within the project areas. Likewise, the 1883 Robinson map of New Orleans indicates that structures were located in the surrounding blocks but not within the project areas. The Sanborn Fire Insurance maps of New Orleans include the project area as early as the 1908-1909. The location of the Nora Navra Library remained vacant until the drawing of the 1939-1951 map series when a library and a store are shown. The proposed construction location remained vacant until the 1929-1940 map series when three sheds were constructed on the lot. According to the drawing of the 1939-1951 map series, the number was reduced to two sheds. Recent USGS topographic maps indicate that the parcel may have been used as a park.

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/Repair in the Same Footprint: Reconstruction/repair of the Nora Navra Library in the same footprint would not affect any below ground in-tact 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 Esplanade Ridge Historic District.

Alternative 3 - Reconstruction at an Alternate Location - Preferred Alternative: FEMA defined the Standing Structures Areas of Potential Effects as the view sheds from the project sites that encompass the houses immediately around the damaged library tract and those immediately around the proposed construction tract. The two APEs overlap due to their close proximity. FEMA defined the Archaeological Areas of Potential Effects (APE) as the entire 0.35 acre tract on which the damaged library stands and the entire 0.75 acre tract that is the proposed location for the new library facility.

The project areas were examined to determine the effect of the undertaking on historic resources. Although the Nora Navra Library is adjacent to the Esplanade Ridge Historic District, its demolition will not affect the integrity of the district. The structures APE for the new location includes buildings over 50 years old, however none are individually eligible for the National Register of Historic Places nor are they eligible collectively as a historic district. The archaeological investigations revealed that the existing library building occupies approximately half of the lot on which it lies. The construction of the building and the installation of utilities have heavily impacted any cultural material that may have been present. Additionally, subsurface testing of the proposed construction location revealed heavily disturbed soils with an addition of fill and garbage.

FEMA has determined that there is No Adverse Effect to historic properties as a result of the proposed undertaking. SHPO concurrence with this determination was received, dated May 12, 2010. On May 3, 2010, consultation with affected tribe the Choctaw Nation of Oklahoma was conducted in accordance with the Programmatic Agreement dated August 17, 2009. Additionally, on May 3, 2010, consultation with affected tribes, including the Jena Band of Choctaw Indians, the Mississippi Band of Choctaw Indians, the Quapaw Tribe of Oklahoma, the Seminole Nation of Oklahoma, the Seminole Tribe of Florida, and the Tunica-Biloxi Tribe of Louisiana, was conducted pursuant to 36 CFR §800.2(c)(2)(i)(B). The Alabama-Coushatta Tribe of Texas concurred with the determination. FEMA has not received a response from the other Tribes within the timeframes in the PA and the Section 106 regulations and therefore may proceed with funding under the PA and 36 CFR Part 800. The applicant must comply with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) and the Inadvertent Discovery Clause, which can be found under the Environmental Review NHPA conditions. Any change to the approved scope of work will require reevaluation under Section 106.

The consideration of effects to historic properties listed in or eligible for the National Register of Historic Places (NRHP) 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 or historic properties that may be affected by the proposed action or alternatives within the project's area of potential effects. Historic properties are defined as archaeological sites, standing structures or other historic resources listed in or determined eligible for listing in the NRHP. If adverse effects on historic properties are identified, Federal agencies must consider effects of their activities and attempt to avoid, minimize, or mitigate the effects to these historic properties.

#### **4.6 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 already 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 Electronic 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.

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/Repair in the Same Footprint: No hazardous materials, wastes, or substances (including contaminated soil or groundwater) have been identified at the same site. Reconstruction/repair of the Nora Navra Library in substantially its same footprint would not disturb any hazardous materials or create any potential hazard to human health.

Alternative 3 – Reconstruction at an Alternate Location - Proposed Action: Findings indicate that no hazardous materials, wastes, or substances (including contaminated soil or groundwater) have been identified at the proposed site. 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 shall be initiated in accordance with applicable Federal, state, and local rules and regulations.

Project construction may involve the use of hazardous materials (e.g., petroleum products, cement, caustics, acids, solvents, paints, electronic components, pesticides/herbicides and fertilizers, treated timber) and may result in the generation of small volumes of hazardous wastes. Best management practices and 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.

#### **4.7 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.

According to the most readily available (2000) U.S. Bureau of the Census Demographic Profile Highlights for New Orleans zip code 70116, 29.2 percent of the population is white, 68.1 percent is black, 2.6 percent is Hispanic, 0.5 percent is Asian, 0.3 percent is Native American, and 0.1 percent is Native Hawaiian. The median household income is \$21,150.

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

Alternative 2 – Reconstruction/Repair in the Same Footprint: Reconstruction/repair of the Nora Navra Library in substantially its same footprint would have no disproportionate adverse impacts to low-income or minority populations.

Alternative 3 – Reconstruction at an Alternate Location - Proposed Action: The proposed action will have no disproportionate adverse human health, economic, or social effects on minority or low-income populations. The activity would replace a previous existing facility 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 are within 0.25 mile of the proposed project site (see Figure 3). The proposed library facility would serve residents living in the surrounding neighborhoods as well as throughout Orleans Parish.

## **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.

- 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.

- The project is currently under evaluation by FEMA to determine the minimum BFE this facility must be protected against. The City of New Orleans is also required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these permit(s) should be documented to the local floodplain administrator and copies provided to the State and FEMA as part of the permanent project files. Per 44 CFR 9.11(d)(9), mitigation or minimization standards must be applied, where possible. The replacement of building contents, materials, and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the BFE. In compliance with EO 11988, an 8-step process was completed and documentation is attached in Appendix C.
- 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 the necessary reviews required by Section 106 of NHPA. 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.

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.

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.

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**

Holly Mittel – Environmental Specialist

June Griffin – Floodplain Specialist

Adam Borden – Lead Environmental Specialist

Daphne Owens – Archaeologist / Historic Preservation Specialist

Tiffany Spann-Winfield - Deputy Environmental Liaison Officer

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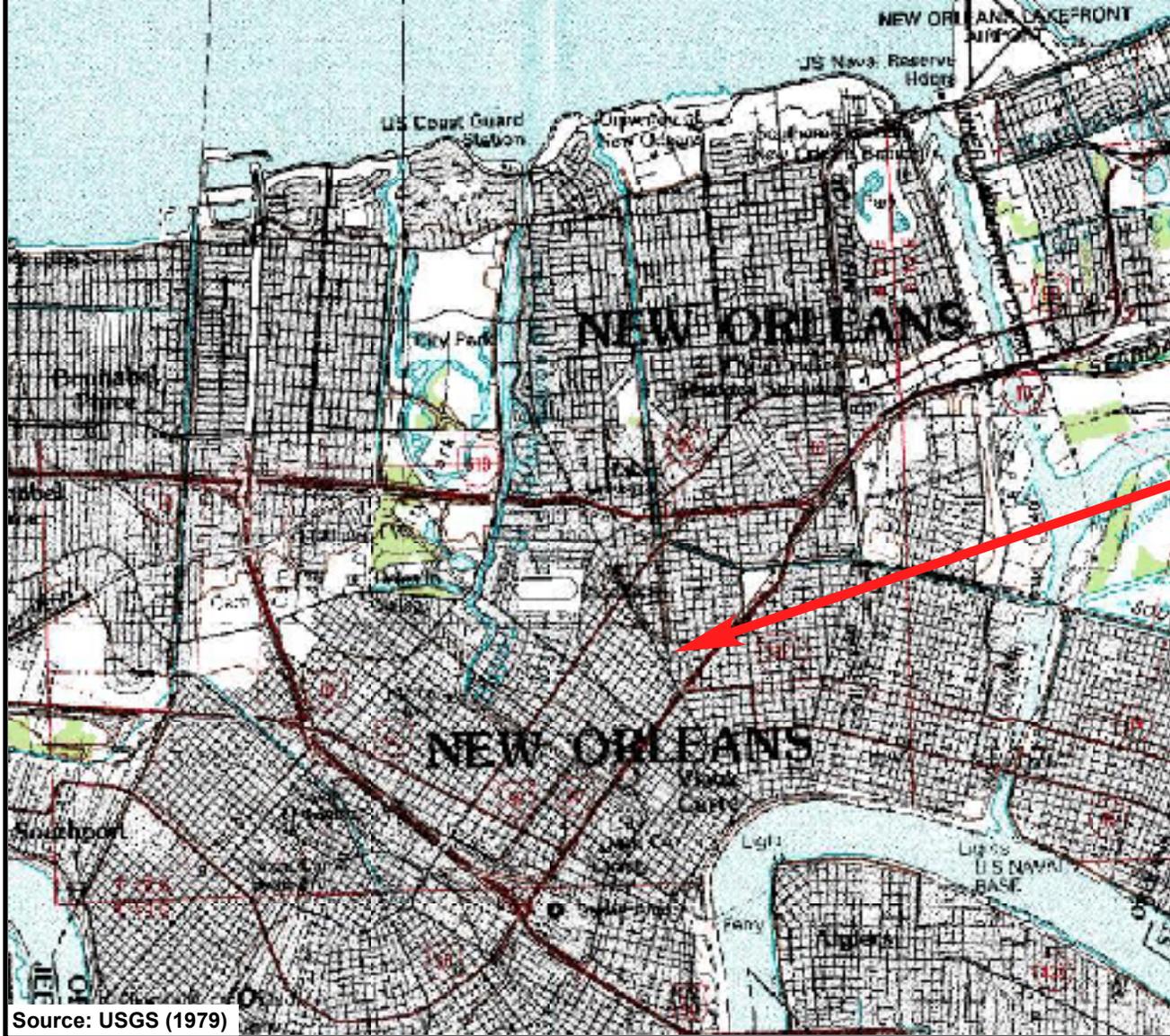
## **Appendix A**

### **Location and Site Maps**

**Note: The site plan is included in the PDF version of this document**

**Figure 1: Site Location Map - Replacement Nora Navra Public Library, New Orleans, LA**

|            |                     |             |                |
|------------|---------------------|-------------|----------------|
| APPLICANT: | City of New Orleans | DATE:       | September 2011 |
| FIPS NO.:  | 071-55000-00        | AI REF. NO. | 1035           |



Replacement Nora Navra Library Site  
 at triangular-shaped lot bounded by  
 Old Prieur Street, Aubry Street,  
 and A.P. Tureaud Avenue  
 New Orleans, LA  
 Lat./Long.: 29.97674, -90.06668

Source: USGS (1979)



**Figure 2: Site Map - Replacement Nora Navra Public Library, New Orleans, LA**

|            |                     |             |                |
|------------|---------------------|-------------|----------------|
| APPLICANT: | City of New Orleans | DATE:       | September 2011 |
| FIPS NO.:  | 071-55000-00        | AI REF. NO. | 1035           |



## **Appendix B**

### **Agency Correspondence**

**Note: State and Federal Agency correspondence is included in the PDF version of this document**



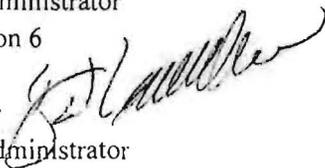
**FEMA**

October 13, 2011

MEMORANDUM FOR:

Tony Russell  
Regional Administrator  
FEMA Region 6

FROM:

David Miller   
Associate Administrator  
Federal Insurance and Mitigation Administration

SUBJECT:

Guidance for use of Best Available Data in Complying with  
44 CFR 9 and EO 11988 for Certain Areas of Greater New  
Orleans

This memorandum provides guidance on the requirement in 44 CFR 9.7(c) and Executive Order 11988 Sec. 2(a)(1) for the use of best available flood hazard information in areas of Louisiana located within the recently constructed Hurricane and Storm Damage Risk Reduction System (HSDRRS).

On February 6, 2006, and June 5, 2007, FEMA issued guidance clarifying the sources of best available flood risk data for compliance with 44 CFR Part 9 and EO 11988. The best available flood risk data drives elevation and reconstruction requirements and impacts eligibility for FEMA grants. These sources were identified initially as Advisory Base Flood Elevations (ABFEs). In the Fall of 2008, the ABFEs for the five Greater New Orleans (GNO) area parishes of St. Bernard, St. Charles, Jefferson, Orleans, and Plaquemines, were replaced by the Preliminary Digital Flood Insurance Rate Maps (DFIRMs) as the source of best available flood risk data.

In September 2011, the US Army Corps of Engineers (USACE) provided FEMA with assurances that the Hurricane and Storm Damage Risk Reduction System (HSDRRS) is capable of defending against a storm surge with a 1% annual-chance event of occurring in any given year. The areas protected by this include portions of St. Bernard, St. Charles, Jefferson, Orleans, and Plaquemines. FEMA has now begun revising the preliminary DFIRMs within the HSDRRS to incorporate the reduced flood risk associated with the system improvements. In the Spring of 2012, FEMA should be prepared to release revised preliminary DFIRMs.

The 2008 Preliminary DFIRMs – currently viewed as the best available flood risk data for the five GNO parishes – do not consider the completion of the HSDRRS. In many areas, the flood risk has been significantly reduced due to heightened protection. However, until the new flood maps are issued,

reconstruction requirements associated with FEMA grant programs may require projects to exceed a reasonable level of protection. This may impact the pace and cost of the recovery effort.

To afford appropriate flexibility and ensure that the most current best available data informs decision making when reviewing and approving grant applications for projects that have not been started and may be protected by the HSDRRS, you are authorized to re-examine individual FEMA grant reconstruction projects. You must use sound engineering data and judgment to determine on a case-by-case or geographic basis if the 2008 Preliminary DFIRM is the appropriate best available flood risk data or if there is better data that more closely matches current flood risk levels. The case-by-case review may indicate that the source of best available flood risk data for a reconstruction project is preliminary DFIRMs, ABFEs, or other relevant sound engineering data. You must ensure that the technical information that serves as the basis of this engineering determination is documented in the project file as part of the 8-step decision making process required by EO 11988. Further, consistent with 44 C.F.R. 9.11(d)(6), no project should be built to a floodplain management standard that is less protective than what the community has adopted in local ordinances through their participation in the National Flood Insurance Program.

If you have any questions or need additional information regarding this guidance, please contact Roy Wright, Deputy Director, Risk Analysis Division, by telephone at (202) 646-3461.

CC: Deborah Ingram, Assistant Administrator for Recovery

Sandra Knight, Deputy Associate Administrator for Mitigation (FIMA)