

# **Record of Environmental Consideration**

## **REVISED FOR FEMA ENVIRONMENTAL -- LOUISIANA**

See 44 Code of Federal Regulation Part 10

**Project Name/Number:** Edwards Elementary School Temp Facilities/ DR -1603- LA;  
Pw 15702 V3

**Applicant Name:** Recovery School District

**Project Location:** 5500 Piety Dr, New Orleans, La  
(30.01612, -90.03869)

**Project Description:** The Department of Homeland Security (DHS) and the Council on Environmental Quality (CEQ) have established Alternative Arrangements to meet the requirements of the National Environmental Policy Act (NEPA) and the CEQ Regulations for Implementing the Procedural Requirements of NEPA to Reconstruct Critical Infrastructure in the New Orleans Metropolitan Area. These alternative arrangements will enable FEMA, as a component of DHS, to consider the potential for significant impacts to the human environment from its approval to fund the reconstruction of critical physical infrastructure in NOMA. This project qualifies as an Alternative Arrangement for the Reconstruction of Critical Infrastructure in the New Orleans Metropolitan Area. For more information visit [www.fema.gov/plan/ehp/noma/index.shtm](http://www.fema.gov/plan/ehp/noma/index.shtm)

The Federal Emergency Management Agency (FEMA), Environmental and Historic Preservation (EHP) Division at the Louisiana Transitional Recovery Office has determined through its Special Considerations review that Recovery School District (Applicant) public involvement process meets the requirements of the National Environmental Policy Act (NEPA) Alternative Arrangements (AA). Those requirements comply with the programmatic agreement between the White House Council on Environmental Quality, the Department of Homeland Security, and FEMA.

As part of the Greater New Orleans Area critical infrastructure, this project qualifies for expedited considerations under the Alternative Arrangements for NEPA compliance. The Alternative Arrangements process ([www.fema.gov/plan/ehp/noma](http://www.fema.gov/plan/ehp/noma)) has been activated to address the basic elements of NEPA for actions taken to restore critical infrastructure devastated by Hurricane Katrina

Hurricane Katrina caused catastrophic damage on August 29, 2005 to schools parish wide owned by the Recovery School District (RSD). This project is to install walkways and canopies, ADA decking ramps with stairs, exterior lighting, chain link fence with maintenance and pedestrian gate entrances, fenced play area, crushed limestone parking, drop off area, paved handicap parking area, and underground utilities (wet and dry) on a parcel of land next to the Mary D. Coghill Elementary School. The buildings will function as a temporary school until RSD can conduct the appropriate repairs to the permanent structure.

## **National Environmental Policy Act (NEPA) Determination**

- ☐ Statutorily excluded from NEPA review (**Review Concluded**)
- ☐ Programmatic Categorical Exclusion - Category (**Review Concluded**)
- ☐ Categorical Exclusion - Category
  - ☐ No Extraordinary Circumstances exist.  
Are project conditions required? ☐ Yes (see section V) ☐ No (**Review Concluded**)
  - ☐ Extraordinary Circumstances exist (see Section IV).
    - ☐ Extraordinary Circumstances mitigated. (see Section IV comments)  
Are project conditions required? ☐ Yes (see section V) ☐ No (**Review Concluded**)
- ☒ Alternative Arrangements
  - ☒ Public Involvement Plan on file (see comments below)  
Are project conditions required? ☒ Yes (see section V) ☐ No (**Review Concluded**)
- ☐ Environmental Assessment
- ☐ Supplemental Environmental Assessment (Reference EA or PEA in comments)

- ☐ NR eligible resources present in project area (FEMA finding/SHPO/THPO concurrence on file)
- ☐ No Adverse Effect Determination (FEMA finding/ SHPO/THPO concurrence on file)  
Are project conditions required? ☐ Yes (see Section V) ☐ No **(Review Concluded)**
- ☐ Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)  
☐ Resolution of Adverse Effect completed (MOA on file)  
Are project conditions required? ☐ Yes (see Section V) ☐ No  
**(Review Concluded)**

**Comments:** A review of version 3 of this pw was conducted on this date in accordance FEMA's Programmatic Agreement Dated August 17, 2009. This comment supersedes all previous hp comments. The Coghill Elementary School did not meet the 50-year-criterion or criteria consideration G of the National Register Guidelines to be considered eligible for the National Register Of Historic Places, nor was it located within the boundaries of the National Register-Eligible Pontchartrain Park Historic District and that no historic properties would be affected by the installation of these facilities. (See attached documents dated 6/16/2006 and 11/19/2007). The scope of work indicates potential ground disturbing activities associated with the demobilization of temporary facilities. Upon consultation of data provided by the State Historic Preservation Officer (SHPO), there are no known archaeological sites within the project area and all work will occur within a previously disturbed area. Therefore, the scope of work as submitted meets the criteria outlined in the Programmatic Agreement Dated August 17, 2009, Appendix C, Section I, A and G. In accordance with this document, FEMA is not required to submit projects to the SHPO for review where the work performed meets these allowances.

**Correspondence/Consultation/References:** Hanan Browning, Historic Preservation Specialist/Archaeologist And A.A. Krishnan, Historic Preservation Specialist

## B. Endangered Species Act

- ☒ No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action.  
**(Review Concluded)**
- ☐ Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.
- ☐ No effect to species or designated critical habitat. (See comments for justification)  
Are project conditions required? ☐ Yes (see Section V) ☐ No **(Review Concluded)**
- ☐ May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) **(Review Concluded)**  
Are project conditions required? ☐ Yes (see Section V) ☐ No **(Review Concluded)**
- ☐ Likely to adversely affect species or designated critical habitat  
☐ Formal consultation concluded. (Biological Assessment and Biological Opinion on file)  
Are project conditions required? ☐ YES (see Section V) ☐ NO **(Review Concluded)**

**Comments:** Project is located in an urban or previously developed area. Neither listed species nor their habitat occur in or near this site, thus FEMA finds there will be no effect to threatened or endangered species.

**Correspondence/Consultation/References:** USFWS emergency consultation provisions determined in letters dated September 15, 2005 for Katrina.

## C. Coastal Barrier Resources Act

- ☒ Project is not on or connected to CBRA Unit or Otherwise Protected Area **(Review Concluded)**.
- ☐ Project is on or connected to CBRA Unit or Otherwise Protected Area. (FEMA determination/USFWS consultation on file)
- ☐ Proposed action an exception under Section 3505.a.6 **(Review Concluded)**
- ☐ Proposed action not excepted under Section 3505.a.6.  
Are project conditions required? ☐ YES (see Section V) ☐ NO **(Review Concluded)**

**Comments:**

**Correspondence/Consultation/References:**

## D. Clean Water Act

- ☒ Project would not affect any waters of the U.S. **(Review Concluded)**
- ☐ Project would affect waters, including wetlands, of the U.S.
- ☐ Project exempted as in kind replacement or other exemption. **(Review Concluded)**
- ☐ Project requires Section 404/401 of Clean Water Act or Section 9/10 of Rivers and Harbors Act permit, including qualification under Nationwide Permits.  
Are project conditions required? ☒ YES (see Section V) ☐ NO **(Review Concluded)**

- ☐ Project has potential to take migratory birds.  
☐ Contact made with USFWS  
Are project conditions required? ☐ YES (see section V) ☐ NO (**Review Concluded**)

**Comments:** The site is an existing disturbed area with little value to migratory birds and would not be included in the USFWS migratory bird management program.

**Correspondence/Consultation/References:** USFWS guidance letter dated September 27, 2005.

## J. Magnuson-Stevens Fishery Conservation and Management Act

- ☒ Project not located in or near Essential Fish Habitat (**Review Concluded**)  
☐ Project located in or near Essential Fish Habitat.  
☐ Project does not adversely affect Essential Fish Habitat (**Review Concluded**)  
Are project conditions required? ☐ Yes (see Section V) ☐ No (**Review Concluded**)  
☐ Project adversely affects Essential Fish Habitat (FEMA determination/USFWS/NMFS concurrence on file)  
☐ NOAA Fisheries provided no recommendation(s) (**Review Concluded**)  
Are project conditions required? ☐ Yes (see Section V) ☐ No (**Review Concluded**)  
☐ NOAA Fisheries provided recommendation(s)  
☐ Written reply to NOAA Fisheries recommendations completed.  
Are project conditions required? ☐ YES (see Section V) ☐ NO (**Review Concluded**)

**Comments:** Project is not located in any surface waters with the potential to affect EFH species.

**Correspondence/Consultation/References:** Louisiana Map (<http://www.lamap.doa.louisiana.gov/>)

## K. Wild and Scenic Rivers Act

- ☒ Project is not along and does not affect Wild or Scenic River (WSR) - (**Review Concluded**)  
☐ Project is along or affects WSR  
☐ Project adversely affects WSR as determined by NPS/USFS. **FEMA cannot fund the action.**  
(NPS/USFS/USFWS/BLM consultation on file) (**Review Concluded**)  
☐ Project does not adversely affect WSR. (NPS/USFS/USFWS/BLM consultation on file)  
Are project conditions required? ☐ YES (see Section V) ☐ NO (**Review Concluded**)

**Comments:** Project is not along and does not affect Wild or Scenic River (WSR).

**Correspondence/Consultation/References:** National Wild and Scenic Rivers  
<http://www.rivers.gov/wildriverslist.html#ls>.

## L. Resource Conservation and Recovery Act

### State Hazardous Materials and Solid Waste Laws and Resource Conservation and Recovery Act

**Comments:** The renovation activities associated with this project may result in various types of debris and wastes, some of which may be hazardous. Therefore, all debris and waste must be treated, stored, and disposed of in a proper manner and location. (See Section V)

## M. Formosan Termite Initiative Act

In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the parish of Orleans is under quarantine. The movement of wood or cellulose material, temporary housing or architectural components) may not leave the quarantined parish without written authorization from the commissioner of the Louisiana department of agriculture and forestry or his designee(s).

## II. Compliance Review for Executive Orders

### A. E.O. 11988 - Floodplains

- ☐ No Effect on Floodplains/Flood levels and project outside Floodplain - (**Review Concluded**)  
☒ Located in Floodplain or Effects on Floodplains/Flood levels  
☐ No adverse effect on floodplain and not adversely affected by the floodplain. (**Review Concluded**)  
Are project conditions required? ☐ Yes (see Section V) ☐ No (**Review Concluded**)

- ☐ (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- ☐ (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- ☐ (viii) Potential for adverse effects on health or safety; and
- ☐ (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- ☐ (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

**Comments:**

## **V. Environmental Review Project Conditions**

Project Conditions:

**This project must comply with all conditions of the attached Programmatic Categorical Exclusion. In addition, the following conditions apply as a condition of FEMA funding reimbursement:**

- Applicant is responsible to ensure potential hazardous materials, if any, shall be removed, handled, transported and disposed of in accordance with local, state and federal compliance requirements.
- In accordance with the Formosan Termite Initiative Act, (LA R.S. 3:3391.1 thru 3391.13) the parish of Orleans is under quarantine. The movement of wood or cellulose material, temporary housing or architectural components) may not leave the quarantined parish without written authorization from the commissioner of the Louisiana department of agriculture and forestry or his designee(s).
- 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. If this scope of work and/or the footprint/location of the new building changes, this project will need to be resubmitted for further Section 106 review prior to ground disturbing activities taking place. Failure to comply with these stipulations may jeopardize receipt of federal funding.
- If required by LDEQ, the applicant shall require its contractor to prepare, certify, and implement a Construction Storm Water Pollution Prevention Plan to prevent sediment and construction material transport from the project site (A Louisiana Pollution Discharge Elimination System (LAPDES) permit will be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- Applicant must check with Louisiana Department of Natural Resources for permitting or other authorization requirements. Projects may be coordinated by contacting LDNR at 1-800-267-4019.
- The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. In compliance with EO11988, an 8-Step Process, was completed. As 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 Preliminary DFIRM elevation.
- The FP&C has been responsive to requests for information about the above-referenced project. Due to satisfactory completion of public involvement processes identified above, and due to submission of sufficient documentation concerning the local planning process, the Applicant is hereby granted final approval for the above-referenced