



# FEMA

U.S. Department of Homeland Security  
Federal Emergency Management Agency, Region VI  
Louisiana Recovery Office  
1500 Main Street  
Baton Rouge, Louisiana 70802

**FINDING OF NO SIGNIFICANT IMPACT**  
**CONSTRUCTION OF A NEW FLORIDA DESIRE MULTI-SERVICE CENTER**  
**IMPROVED PROJECT, ORLEANS PARISH, LOUISIANA**  
***FEMA-1603-DR-LA***

**BACKGROUND**

Hurricane Katrina made landfall on 29 August 2005, near the town of Buras, Louisiana, with sustained winds of more than 125 miles per hour. The accompanying storm surge damaged levees and entered the city of New Orleans from various coastal waterways, resulting in flooding throughout much of the city. The storm's high winds, heavy rains, and flooding caused considerable damage throughout New Orleans, Louisiana.

The Applicant has requested, via the State of Louisiana Governor's Office of Homeland Security and Emergency Preparedness (LA GOHSEP), that the Federal Emergency Management Agency (FEMA) provide disaster assistance through federal grant funds pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), PL 93-288, as amended. Section 406 of the Stafford Act authorizes FEMA's Public Assistance Program to fund projects to repair, restore, and replace facilities damaged as a result of the declared event. In accordance with 44 C.F.R. § 206.203(d)(1), the City of New Orleans (CNO) has requested an Improved Project, which will allow funds to restore the pre-disaster function of a damaged facility. The CNO proposes construct a new Desire Florida Multi-Purpose Center on an existing undeveloped lot which is owned by the Housing Authority of New Orleans (HANO).

Pursuant to the Council on Environmental Quality's procedures for implementing the National Environmental Policy Act (NEPA) at 40 C.F.R. § 1506.3 and in accordance with 44 C.F.R. § 10, FEMA regulations to implement NEPA, an Environmental Assessment (EA) was prepared. The alternatives considered consist of: 1) the "No Action" alternative, 2) Construct a new Florida Desire Multi-Service Center at Higgins Boulevard (Preferred Alternative), 3) Construct the new facility at the Pre-Hurricane Katrina location of the Desire facility at Louisa Street and Florida Avenue.

**FINDINGS**

FEMA has evaluated the proposed project for significant adverse impacts to geology, soils, water resources (surface water, groundwater, and wetlands), floodplains, coastal resources, air quality, biological resources (vegetation, fish and wildlife, federally-listed threatened or endangered species and critical habitats), cultural resources, socioeconomics (including minority and low income populations), safety, noise, and hazardous materials. The results of these evaluations as well as consultations and input from other federal and state agencies are presented in the EA. During the construction period, short-term impacts to water quality, 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.

## **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 Sub-Recipient must follow all applicable local, state, and federal laws, regulations, and requirements and obtain and comply with all required permits and approvals prior to initiating work.
- If human bone or unmarked grave(s) are present within the project area, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The Sub-Recipient shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The Sub-Recipient shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery.
- If during the course of work, archaeological artifacts (prehistoric or historic) are discovered, the Sub-Recipient shall stop work in the vicinity of the discovery and take all reasonable measures to avoid or minimize harm to the finds. The Sub-Recipient shall inform their Public Assistance (PA) contacts at FEMA, who will in turn contact FEMA Historic Preservation (HP) staff. The Sub-Recipient will not proceed with work until FEMA HP completes consultation with the SHPO, and others as appropriate.
- Project construction would involve the use of potentially hazardous materials (e.g., petroleum products, including but not limited to gasoline, diesel, brake and hydraulic fluid, cement, caustics, acids, solvents, paint, electronic components, pesticides, herbicides, fertilizers, and/or 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 or non-hazardous wastes are required to be disposed in accordance with applicable federal, state, and local regulations.
- LDNR requires that a complete CUP Application package (Joint Application Form, location 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. The Sub-Recipient is responsible for coordinating with and obtaining any required CUPs or other authorizations from the LDNR OCM's Permits and Mitigation Division prior to initiating work. The Sub-Recipient must comply with all conditions of the required permits. All documentation pertaining to these activities and Sub-Recipient compliance with any conditions should be forwarded to the state and FEMA for inclusion in the permanent project files.
- Permittee shall, prior to commencement of the herein permitted activities, contact Billy Wall (phone: 225-342-9423, email: [billy.wall@la.gov](mailto:billy.wall@la.gov)) to determine if a construction permit will be required from the local levee district. This determination does not eliminate the need to obtain a permit from the United States Army, Corps of Engineers or any other Federal, state or local approval that may be required by law. The drawings submitted with your referenced application are attached hereto and made a part of the record. If you have any questions regarding this authorization, please contact our office (225) 342-7591 or (800) 267-4019.
- Sub-Recipient must comply with all local, state, and federal requirements related to sediment control, disposal of solid waste, control and containment of spills, and discharge of surface runoff and/or stormwater from the site.
- The EPA recommends the Sub-Recipient conduct work to determine the extent of wetlands on site. Such investigation should be completed in coordination with the New Orleans District Office of the U.S. Army Corps of Engineers. The EPA also recommends all potential impacts to wetlands and other waters of the United States be avoided and minimized to the maximum extent practicable. Compensatory mitigation will be required for impacts to jurisdictional wetlands, as authorized by a Clean Water Act Section 404 permit, to avoid a net loss of wetlands and wetland functions as a result of the proposed work.

- Care should be taken in equipment and materials storage and construction activities (including equipment and materials staging) to ensure that nearby wetlands are not adversely affected per the CWA and Executive Order 11990.
- If the project results in a discharge to waters of the State, an LPDES permit may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If the project results in a discharge of wastewater to an existing wastewater treatment system, that wastewater treatment system may need to modify its LPDES permit before accepting the additional wastewater. In order to minimize indirect impacts (erosion, sedimentation, dust, and other construction-related disturbances) to nearby waters of the U.S. and surrounding drainage areas, the contractor must ensure compliance with all local, state, and federal requirements related to sediment control, disposal of solid waste, control and containment of spills, and discharge of surface runoff and stormwater from the site. All documentation pertaining to these activities and Sub-Recipient compliance with any conditions should be forwarded to LA GOHSEP and FEMA for inclusion in the permanent project files.
- Per 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 NFIP. Per 44 C.F.R. § 9.11(d)(9), for the replacement of building contents, materials, and equipment, where possible disaster-proofing of the building and/or elimination of such future losses should occur by relocation of those building contents, materials, and equipment outside or above the base floodplain. The Sub-Recipient is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. All coordination pertaining to these activities and Sub-Recipient compliance with any conditions must be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files.
- After construction of the proposed project and prior to FEMA project close-out, additional verification will be needed to ensure that proper coordination occurred regarding work within the floodplain. The following documentation will be required:
  - A copy of the Post-Construction Elevation Certificate signed/sealed by licensed surveyor, engineer, or architect *as well as* the local FP administrator; or
  - If the post-construction EC is not signed by the local Floodplain Administrator, then a Certificate of Occupancy signed by the LFA or a letter from the local Floodplain Administrator stating the structure was built in compliance with the local floodplain ordinance.
  - New construction or substantial improvements within special flood hazard areas be protected against flood damage, be anchored in accordance with the building code of the City of New Orleans to prevent flotation, collapse, or lateral movement of the structure, utilize construction materials and utility equipment that is resistant to flood damage, and utilize construction methods and practices to minimize flood damage.
- All activities involving the remediation of known hazardous substances present in on-site soils must be conducted in accordance with LDEQ requirements and as specified in the approved Corrective Action Plan. Activities involving the remediation of as yet undiscovered hazardous substances in on-site soil and groundwater must be conducted in accordance with relevant LDEQ requirements. Remediation activities for such undiscovered contaminants may not begin until LDEQ approval has been received by the Sub-Recipient.
- All waste is to be transported by an entity maintaining a current "waste hauler permit" specifically for the waste being transported, as required by LaDOTD and other regulations.
- Unusable equipment, debris, and material shall be disposed of in an approved manner and location. The Sub-Recipient shall handle, manage, and dispose of petroleum products, hazardous materials, and/or toxic waste in accordance with all local, state, and federal agency requirements. All coordination

- Contractor and/or Subcontractors must properly handle, package, transport and dispose of hazardous materials and/or waste in accordance with all local, state, and federal regulations, laws, and ordinances, including all OSHA worker exposure regulations covered within 29 C.F.R. § 1910 and 1926.
- Contractors are required to follow, at a minimum, these BMPs during site work:
  - implement erosion and sediment controls
  - stabilize soils
  - manage dewatering activities
  - implement pollution prevention measures
  - provide and maintain buffers around surface waters
  - prohibit certain discharges, such as motor fuel and concrete washout

The results of these evaluations, as well as consultations and input from other federal and state agencies, are presented in the EA. 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 Environmental Impact Statement will not be prepared (per 44 C.F.R. § 10.9) and the proposed project as described in the EA may proceed.

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Thomas M. Womack

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Thomas M. (Mike) Womack,  
Director of Louisiana Recovery Office  
FEMA-1603/1607-DR-LA

Date