

Draft Environmental Assessment

Desire Street Ministries:

Desire Street Ministries Multi-Purpose Building

Orleans Parish

FEMA-1603-DR-LA

New Orleans, Louisiana

*September 2013*

**U.S. Department of Homeland Security**  
**Federal Emergency Management Agency, Region VI**  
**Louisiana Recovery Office**  
**New Orleans, Louisiana 70114**



**FEMA**

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## LIST OF ACRONYMS

ABFE	Advisory Base Flood Elevation
ACHP	Advisory Council on Historic Preservation
AOI	Area of Interest
APE	Area of Potential Effects
BESE	Board of Elementary and Secondary Education
BMPs	Best Management Practices
CAA	Clean Air Act
CBRA	Coastal Barrier Resources Act
CBRS	Coastal Barrier Resources System
CEQ	Council for Environmental Quality
CFR	Code of Federal Regulations
CUP	Coastal Use Permit
CWA	Clean Water Act
CZMA	Coastal Zone Management Act
DSA	Desire Street Academy
DSM	Desire Street Ministries
DFIRM	Digital Flood Insurance Rate Map
EA	Environmental Assessment
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
ESA	Environmental Site Assessment
EDMS	Electronic Document Management System
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
FP&C	Facility Planning and Control
FT	Feet
GNOCDC	Greater New Orleans Community Data Center
HEAG	Highest Existing Adjacent Grade
HSDRRS	Hurricane Storm Damage Risk Reduction System
LA GOHSEP	Louisiana Governor's Office of Homeland Security and Emergency Preparedness
LDEQ	Louisiana Department of Environmental Quality
LDNR	Louisiana Department of Natural Resources
LPDES	Louisiana Pollutant Discharge Elimination System
MBTA	Migratory Bird Treaty Act
NAVD 88	North American Vertical Datum of 1988
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanic & Atmospheric Administration
NRCS	National Resources Conservation Service
NRHP	National Register of Historic Places
OCM	Office of Coastal Management
OPSB	Orleans Parish School Board

PA	Public Assistance Grant Program
PNP	Private Non-Profit
PW	Project Worksheet
RCRA	Resource Conservation and Recovery Act
RHA	Rivers and Harbors Act
RSD	Recovery School District
SFHA	Special Flood Hazard Area
SHPO	State Historic Preservation Office/Officer
TSCA	Toxic Substances Control Act
US	United States
USACE	United States Army Corps of Engineers
USEPA	United States Environmental Protection Agency
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
UST	Underground Storage Tank

## **1.0 INTRODUCTION**

### **1.1 Project Authority**

Hurricane Katrina made landfall on August 29, 2005 near the town of Buras, Louisiana with sustained winds of more than 125 mph. President George W. Bush declared a major disaster for the State of Louisiana (FEMA-1603-DR-LA) on August 29, 2005, authorizing the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to provide Federal assistance in designated areas of Louisiana. This is 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 (PA) to assist in funding the repair, restoration, reconstruction, or replacement of public facilities damaged as a result of a declared disaster. FEMA's implementing regulations for the PA Program are found in 44 Code of federal Regulations (CFR), Part 206.

This Draft Environmental Assessment (DEA) has been prepared in compliance with the National Environmental Policy Act of 1969 (NEPA), the President's Council on Environmental Quality regulations implementing NEPA (Title 40 of the CFR, Parts 1500 to 1508), and FEMA's regulations implementing NEPA (44 CFR Part 10).

The purpose of this DEA is to analyze potential environmental impacts of the proposed project. FEMA will use the findings in this DEA to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

### **1.2 Background**

High winds, flooding and storm surge from Hurricane Katrina severely damaged Desire Street Ministries' (DSM) multi-purpose facility located at 3600 Desire Parkway in New Orleans, Louisiana, 70126, Latitude 29.995680, Longitude -90.032824 (*Figures 1-3*). The multi-purpose facility was built in 2000 as a one-story, 34,616 SF, steel-framed structure, containing several classrooms, offices, a commercial kitchen, and a gymnasium (*Figure 4*). The primary function of the facility was for educational purposes, serving as a private non-profit school with approximately one-hundred-ninety-five (195) students. The facility was also used for afterschool programs, youth sporting events, and religious activities. The facility was demolished in December 2011 and, today, only the applicant's duplex structure, the slab foundation of the demolished building, and an approximately 1700 SF parking lot occupy the site.

FEMA's PA Program determined that the facility was damaged to an extent that it is eligible for replacement costs. In accordance with 44 CFR § 206.203(d)(2), DSM has requested an Alternate Project. In lieu of replacing the educational function of the damaged facility, DSM has proposed to construct a community wellness center facility that would provide dental and other needed medical services to local residents.

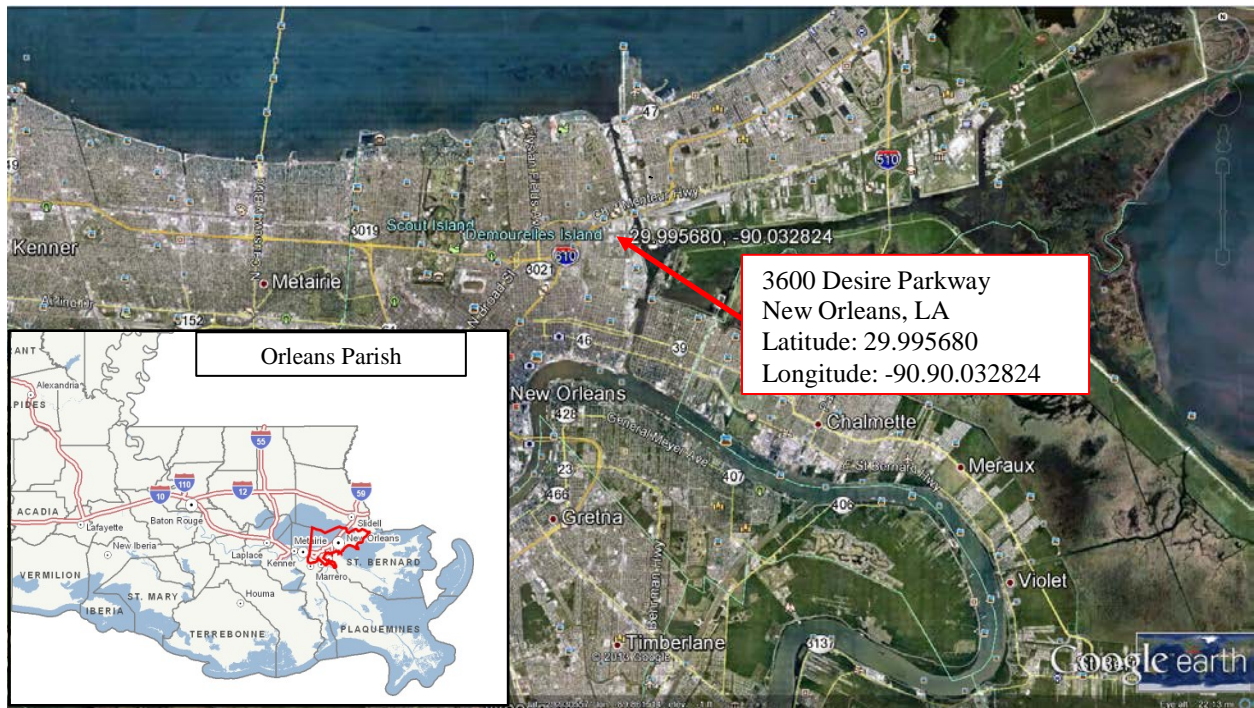
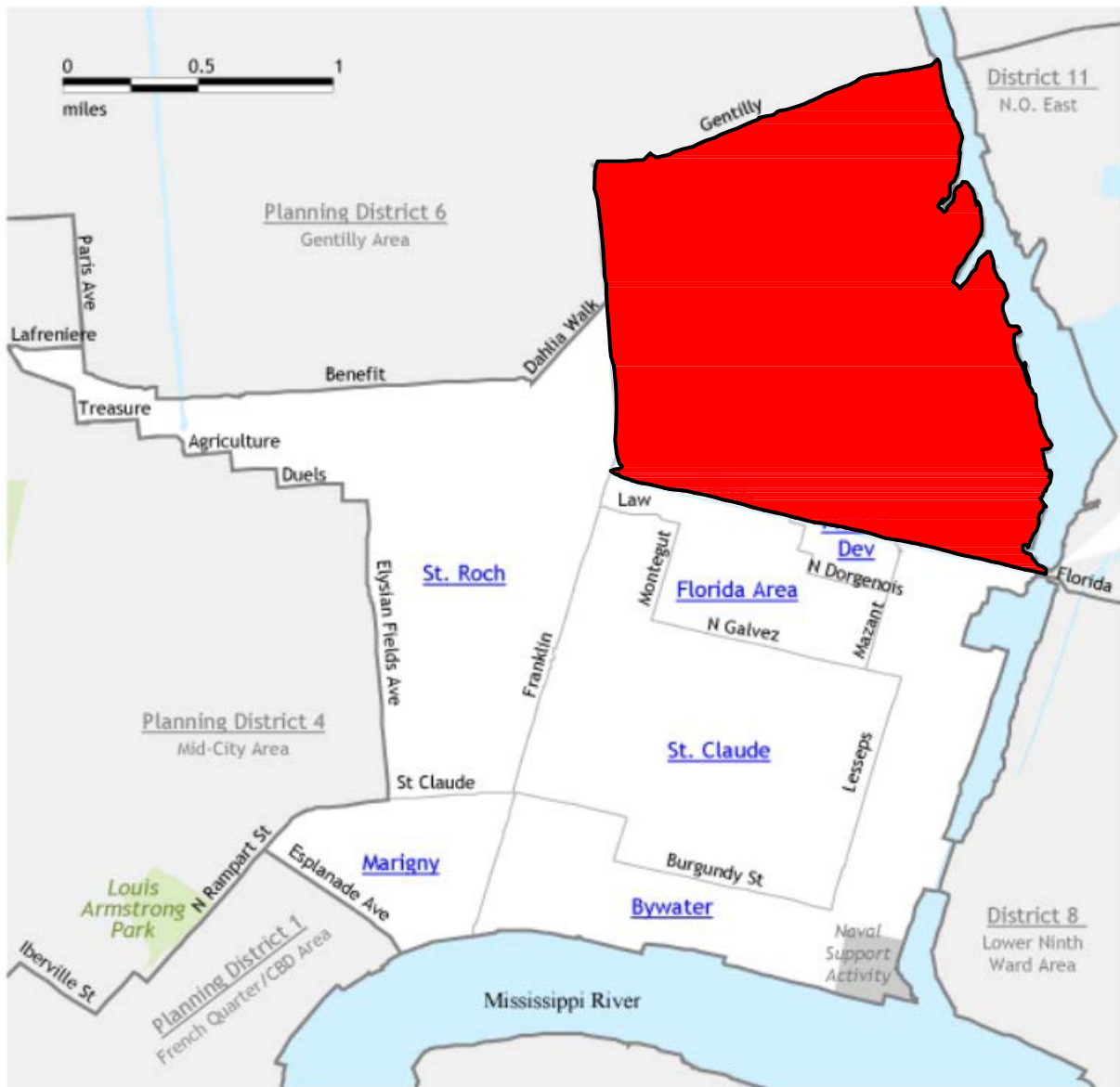


Figure 1 – Extended Aerial, 3600 Desire Parkway, New Orleans, LA (Google Images, 2013)



Figure 2 - 3600 Desire Parkway, Latitude 29.995680/Longitude -90.032824 (Google Earth 2013)





Map sources: City of New Orleans; US Census Bureau; MapInfo.

©2011 GNO Community Data Center <www.gnocdc.org>

**Orleans Parish » Bywater District**

**Figure 3 – Desire Neighborhood, Upper Ninth Ward**

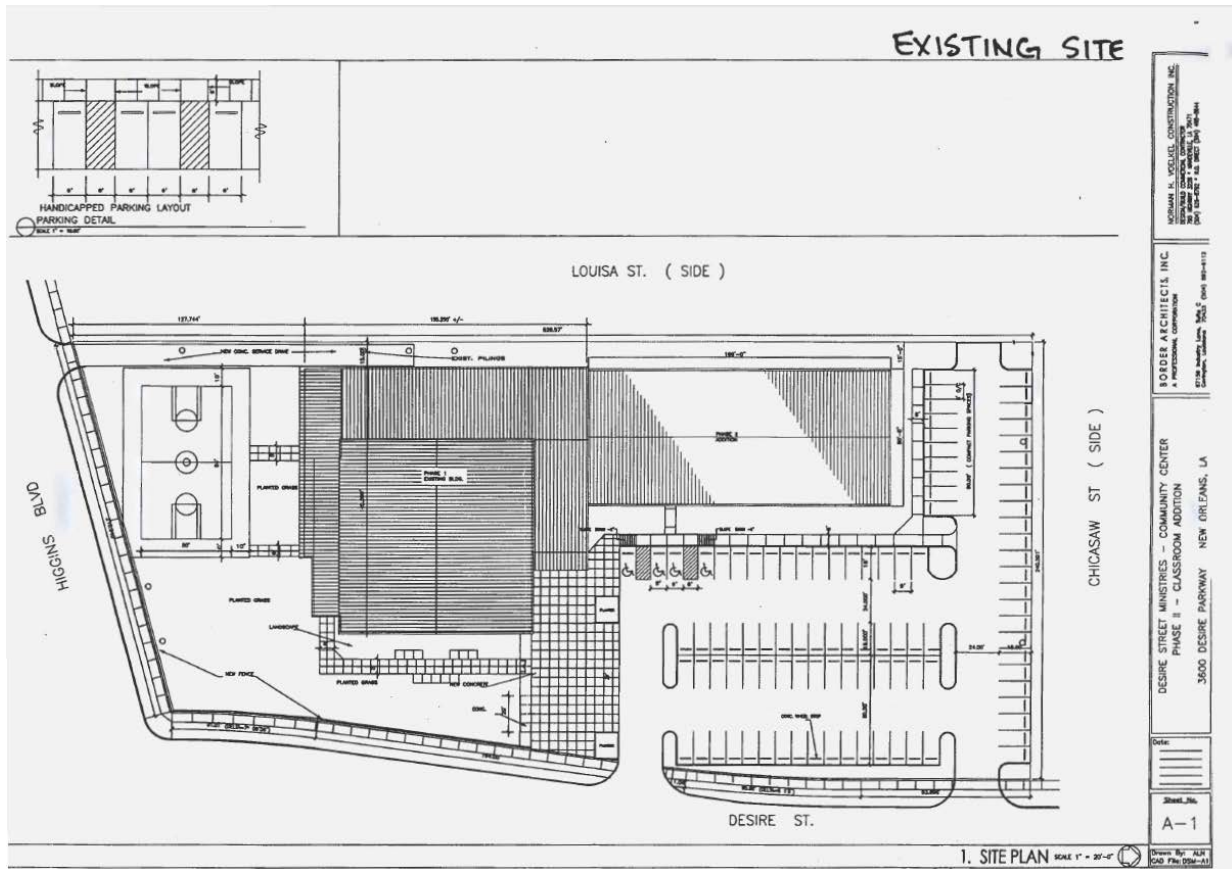


Figure 4 – Pre-Storm Site Plan

## 2.0 PURPOSE AND NEED

The objective of FEMA’s Public Assistance (PA) Grant Program is to provide assistance to State, Tribal and local governments, and certain types of Private Nonprofit (PNP) organizations, so that communities can quickly respond to, recover from, and mitigate major disasters and emergencies. The mission of DSM, a PNP, is the revitalization of New Orleans’ Desire neighborhood and other impoverished neighborhoods, through spiritual and community development (DSM, 2013).

As a result of Hurricane Katrina, DSM’s 3600 Desire Parkway facility was heavily damaged and lost the capacity to provide services to the community. Restoring community services for the general public welfare is needed to aid revitalization of the storm damaged neighborhood.

## 3.0 ALTERNATIVES

This section describes alternatives proposed and considered in addressing the purpose and need stated in Section 2.0 above. The NEPA process consists of an evaluation of the environmental effects of a federal undertaking, including its alternatives. The identification and evaluation of the purpose and need of a project is essential in establishing a basis for the development of the range of reasonable alternatives required in an EA, and assists with the identification and eventual selection of a preferred alternative.

Under NEPA, the term “reasonable alternatives” is generally understood to mean those technically, economically and legally practical or feasible project alternatives that would satisfy the primary objectives of the project defined in the Purpose and Need statement (FEMA, 1996; CEQ, 2013).

Three alternatives have been proposed and reviewed for this project. They include: 1) No Action; 2) Reconstruct the facility at the same location and preserve its original function and configuration as an educational facility; and 3) Reconstruct the facility at the same location into a different configuration, as a new community wellness center (Proposed Action).

### **3.1 Alternative 1 - No Action**

Under the No Action alternative, no facility would be constructed at the project site to replace the demolished structure. Consequently, the applicant would be left with inadequate facilities to service the local community’s needs. This alternative does not meet the purpose and need; however, it will continue to be evaluated throughout this EA and will serve as a baseline comparison of impacts from other action alternatives.

### **3.2 Alternative 2 – Reconstruct Facility In-Place and Preserve Educational Function and Configuration**

One alternative considered was the in-place reconstruction of the storm damaged structure to preserve one of its primary pre-disaster functions as an educational institution. DSM’s Desire Street Academy was a private school that relied almost completely on donations to operate (Monteverde, 2009). DSA was closed in 2009, “due to financial challenges,” (Trahan, 2009), with hopes of reopening as a charter school (Monteverde, 2009). The applicant has been unable to identify any independent charter school operators willing to operate a charter school at this site. Post-storm, the state legislature placed the majority of New Orleans’ public schools under the Recovery School District (RSD) (New Orleans Schools, 2012-2013), resulting in a dramatic shift in attendance whereby approximately 85% of students attending public schools in New Orleans now attend independent public charter schools operated by RSD, the Orleans Parish School Board (OPSB), or ten (10) Charter Management Organizations (CMOs). However, as of the 2012-2013 school year, due to the City’s adoption of the “all-choice” model of charter schools, only approximately thirteen percent (13%) of New Orleans’ students actually attend a school in their own neighborhood (Cowen Institute, 2011, 2012, and 2013). Although not the preferred alternative, this alternative meets the purpose and need and will continue to be evaluated throughout this EA.

### **3.3 Alternative 3 – Replace and Reconfigure Lost Functions/Facility with New Community Wellness Center (Proposed Alternative)**

There exists a lack of available neighborhood healthcare services in the Desire community. In 2006, as part of the post-Katrina rebuilding efforts, the New Orleans City Council commissioned the preparation of community-based neighborhood plans for the City’s 73 neighborhoods. The Desire neighborhood’s rebuilding plan noted the following: “Throughout the neighborhood planning process it became evident that healthcare was a primary concern for the residents of the

neighborhood. There is a lack of healthcare facilities in the area. Affordable healthcare should be provided and low-income residents welcomed” (Lambert, 2006). In the aftermath of Hurricane Katrina, and periodically since, the Applicant has surveyed the Desire neighborhood and other Upper Ninth Ward community residents to determine the community’s most pressing issues and obstacles to recovery. Through these and other efforts, the Applicant was able to identify health care and physician availability as a priority need for the community (Moller, 2009). The community’s need and demand for available health services was cited in a community development plan report prepared by CDC 58:12, a community development corporation formed in January 2007 through a strategic partnership with the Applicant, DSM, to respond to unmet needs in the Ninth Ward. The CDC 58:12 report was developed using a community engagement process, including several community meetings that were held at applicant’s facility. The report identified the need for a neighborhood medical clinic and mental health services as a community concern which needed to be addressed and effectuated in order to improve the condition, status, and quality of the neighborhood (CDC 58:12, 2009).

Under this alternative, a new community wellness center would be constructed at the proposed project site, and would support planned community medical and dental services. The proposed community wellness center would consist of a 30,800 square foot facility divided essentially into three (3) departments: Wellness and Educational Facilities, Dental Operatory & Hygiene, and a Clinic. Support offices/rooms/areas would include a pharmacy, conference room, bathrooms, lobby area, waiting rooms, administration support offices, storage/housekeeping areas, and a laboratory (*Figures 5 and 6*). Ground disturbing activities would be limited to those areas needed to construct the foundation, stage construction materials, install utilities, and construct associated driveways and parking. This alternative meets the purpose and need of the action and will be further evaluated throughout this EA.

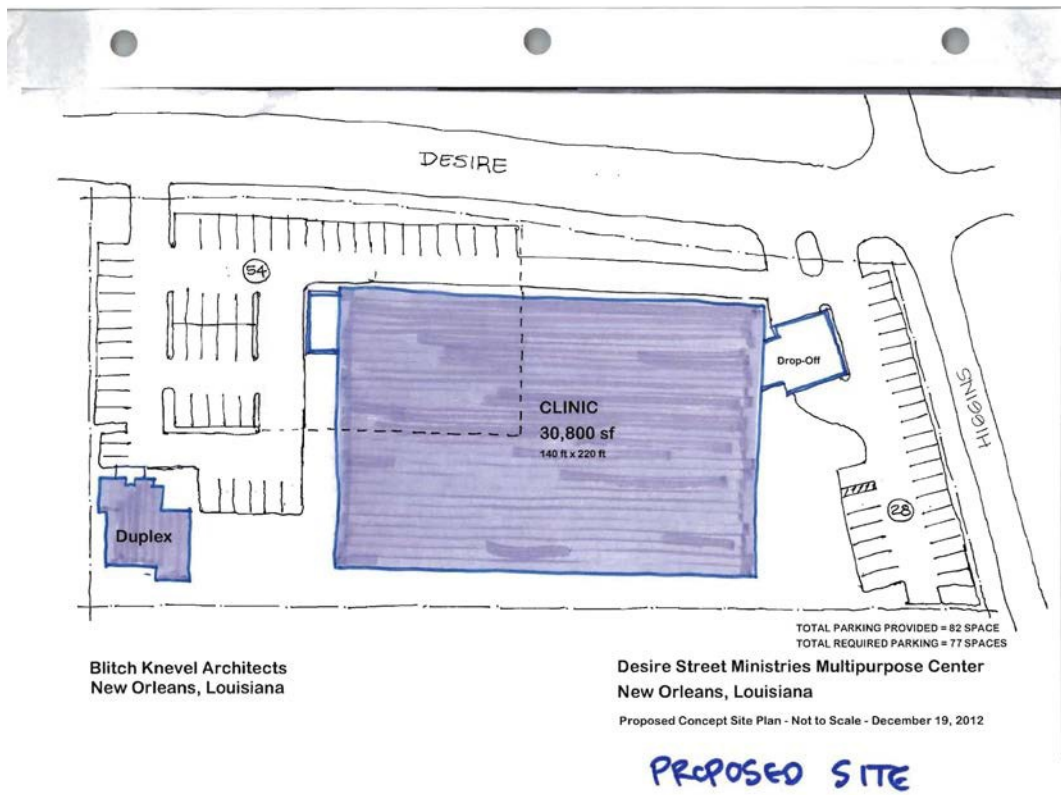


Figure 5 – Proposed Site Plan

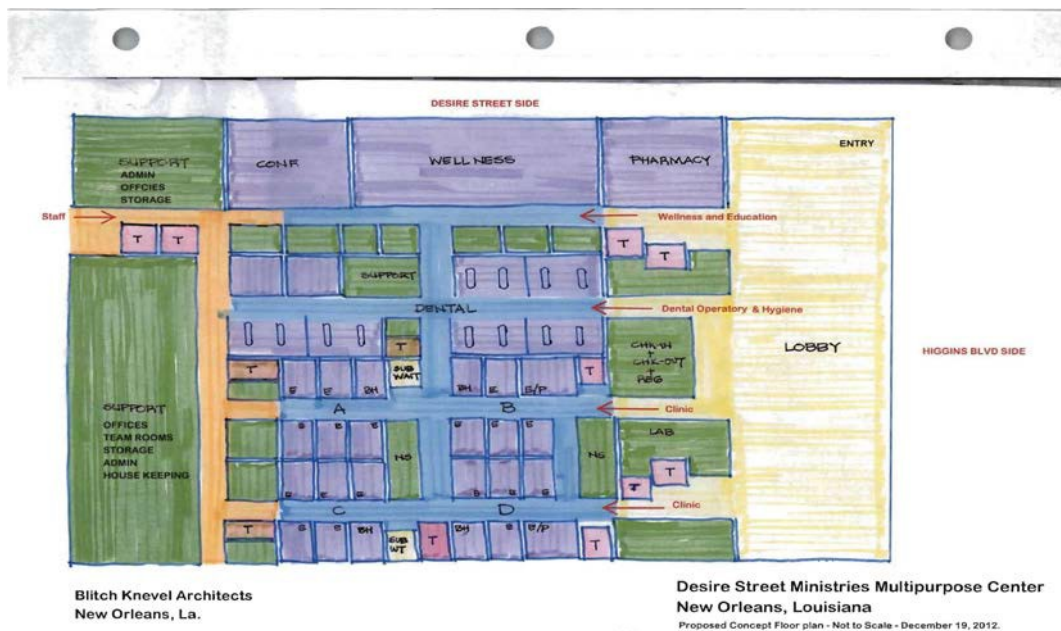


Figure 6 – Proposed Room Plan

## **4.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS**

### **4.1 Geology and Soils**

#### **4.1.1 Regulatory Setting**

The Farmland Protection Policy Act (FPPA: P.L. 97-98, §§ 1539-1549; 7 U.S.C. 4201, *et seq.*) was enacted in 1981 and is intended to minimize the impact federal actions may have on the unnecessary and irreversible conversion of farmland to non-agricultural uses. It assures that, to the extent possible, federal programs and policies are administered to be compatible with state and local farmland protection policies and programs. To implement the FPPA, federal agencies are required to develop and review their policies and procedures every two years. The FPPA does not authorize the federal government to regulate the use of private or nonfederal land or, in any way, affect the property rights of owners.

The Natural Resources Conservation Service (NRCS) is responsible for protecting significant agricultural lands from irreversible conversions that result in the loss of essential food or environment sources. For purposes of the FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Prime farmland is characterized as land with the best physical and chemical characteristics for production of food, feed, forage, fiber and oilseed crops (USDA 1989). Farmland subject to FPPA requirements does not have to be currently used for cropland; it can be forest land, pastureland, cropland, or other land, but not water or built-up land.

#### **4.1.2 Existing Conditions**

According to the Louisiana Geological Survey (LGS), the geology in the vicinity of the site is predominantly Holocene Alluvium, sedimentary deposits composed mainly of sands, silts and clays, and deposits of the deltaic plain of the St. Bernard delta lobe, Mississippi River (LGS, 2008). Figure 7 is a generalized geology map for Louisiana showing the location of the proposed project in Orleans Parish. The soils in Orleans Parish vary widely in their potential for major land uses and urban development. The topography of the proposed project area is generally flat. According to the USDA, NRCS Web Soil Survey, the soils in the proposed site include Schriever clay, and a smaller area of Harahan clay (approximately 15.2 % of the AOI [Area of Interest]) (*see Figure 8, and Table 1, USDA 2013*). Schriever clay and Harahan clay consist of poorly drained, very slowly permeable hydric soils that occur in back-swamp areas separated from river systems by natural levees. Both Schriever clay and Harahan clay are considered prime and unique farmland (*Table 1, USDA 2013*).

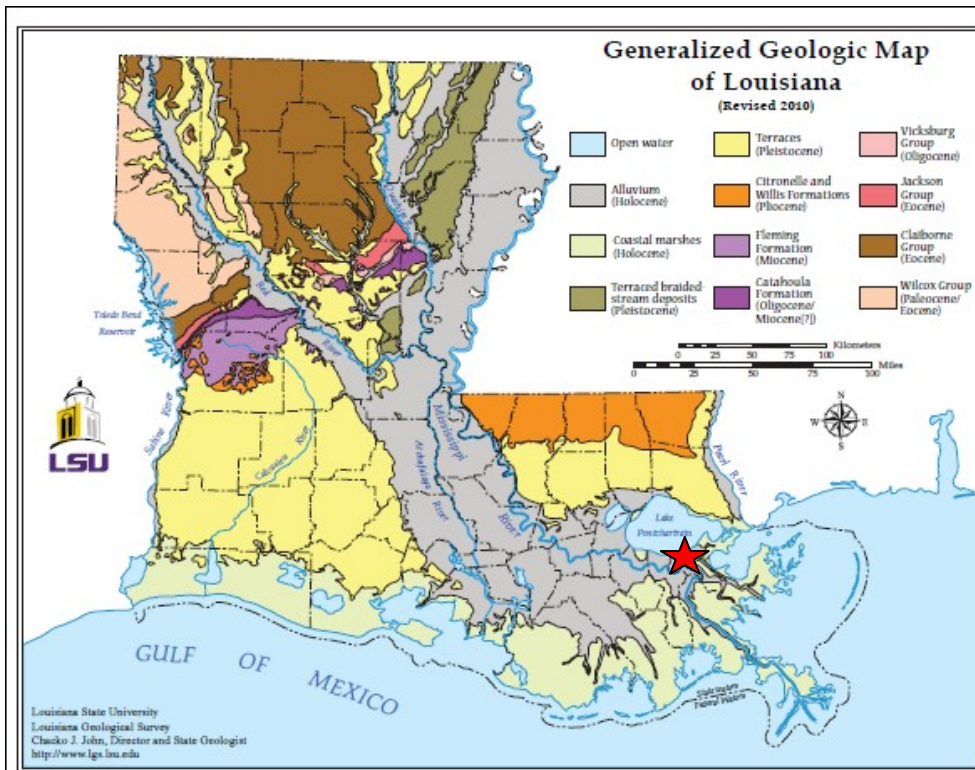


Figure 7, General Geology Map of Louisiana (LGS, 2010)



Figure 8, NRCS Classification Map - Proposed AOI

Orleans Parish, Louisiana (LA071)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Ha	Harahan clay	0.5	15.2%
Sk	Schriever clay	2.7	84.8%
Totals for Area of Interest		3.2	100.0%

Table 1, NRCS Classification Summary – Proposed AOI

### **4.1.3 Environmental Consequences**

#### **Alternative 1 – No Action**

Implementation of the No Action Alternative would have no impact on geology or soils, and no impacts on prime, unique, statewide, or locally important farmland.

#### **Alternative 2 – Reconstruct and Preserve Function/Configuration as an Educational Facility**

Reconstruction of the pre-existing facility at the same site would temporarily impact soils, primarily as part of site preparation and building construction. Although the foundation slab for the old facility still remains, soils may be exposed during grading and trenching for utilities or other code upgrades. Additionally, installation of the proposed structure may result in compaction of all underlying soil, and the removal of other soil.

FEMA initiated consultation with the NRCS regarding potential impacts to prime and unique farmland as defined in 7 CFR § 658.2(a). In a response dated June 5, 2013, the NRCS concluded that the site is located within an urban area and is exempt from the Farmland Protection Policy Act (*Appendix A*).

#### **Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center**

Construction of a community wellness center at the site would temporarily impact soils, primarily as part of site preparation and building construction. Soils will be exposed during grading and trenching for utilities. Additionally, installation of the proposed structure would result in compaction of all underlying soil, and the removal of other soil.

FEMA initiated consultation with the NRCS regarding potential impacts to prime and unique farmland as defined in 7 CFR § 658.2(a). In a response dated June 5, 2013, the NRCS concluded that the proposed action would be within urban areas and is exempt from the Farmland Protection Policy Act (*Appendix A*).

## **4.2 Waters of the United States and Wetlands**

### **4.2.1 Regulatory Setting**

The United States Army Corps Engineers (USACE) regulates the discharge of dredged or fill material into waters of the U.S., including wetlands, pursuant to §§ 401 and 404 of the Clean Water Act (CWA). Section 402 of the CWA, entitled National Pollutant Discharge Elimination System (NPDES), authorizes and sets forth standards for state administered permitting programs regulating the discharge of pollutants into navigable waters within the state's jurisdiction. Wetlands are identified as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The USACE also regulates the building of structures in waters of the U.S. pursuant to §§ 9 and 10 of the Rivers and Harbors Act (RHA). Executive Order (EO) 11990, Protection of Wetlands, directs Federal agencies to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the values of wetlands for federally funded projects. FEMA regulations for complying with EO 11990 are found at 44 CFR Part 9, Floodplain Management and Protection of Wetlands.



The Environmental Protection Agency (EPA) enforces the CWA and regulates discharges to waters of the United States through permits issued under the NPDES permitting program. On August 27, 1996, Louisiana assumed the NPDES from EPA Region VI, thus becoming a state delegated to administer the NPDES Program. Having assumed NPDES responsibilities, Louisiana may directly issue NPDES permits and has primary enforcement responsibility for facilities in this state, with certain exceptions such as Indian Country Lands. Louisiana administers the NPDES Program and surface water discharge permitting system under the Louisiana Pollutant Discharge Elimination System (LPDES) program. LPDES requires permits for the discharge of pollutants/wastewater from any point source into waters of the state. The term “point source” is defined as “any discernible, confined, and discrete conveyance such as a pipe or a ditch.” Prior to assumption of the program, permittees were required to hold both a valid state and federal permit. Today, all point source discharges of pollutants to waters of the state of Louisiana are required to hold an LPDES permit issued by the Louisiana Department of Environmental Quality (LDEQ).

#### 4.2.2 Existing Conditions

Surface water for the property feeds into drains along the eastern border of the property. (*Appendix C*). According to the U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) map, there are no wetlands or other waters of the United States within the proposed project area that could be adversely affected by the project (*Figure 9*).



Figure 9, U.S. Fish and Wildlife Service National Wetlands Inventory Map (USFWS, 2013)

### 4.2.3 Environmental Consequences

#### Alternative 1 – No Action

The No Action Alternative, would have no effect on wetlands or other waters of the U.S., and would not require permits under Section 404 of the CWA or Section 10 of the RHA.

#### Alternative 2 – Reconstruct and Preserve Function/Configuration as an Educational Facility

This action alternative would have no impact on wetlands or other waters of the United States. FEMA has determined that the location is an urban, previously disturbed site, and is not a wetland subject to Executive Order 11990. The project would not require permits under § 404 of the Clean Water Act or § 10 of the Rivers and Harbors Act. In comments received on or around April 16, 2013, the EPA stated that jurisdictional waters of the United States do not occur at the site. In comments received on or around May 6, 2013, the USACE noted that the site is not a wetland subject to Corps' of Engineers jurisdiction, and a Department of the Army permit under § 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site (*Appendix A*).

If the project results in a discharge to waters of the state, a Louisiana Pollution Discharge Elimination System (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 the nearby waters of the United States and well defined drainage areas surrounding the site, the contractor should implement Best Management Practices (BMPs) that meet the Louisiana Department of Environmental Quality's (LDEQ) permitting specifications for storm water discharge regulated under §§ 401 and 402 of the CWA, and include the following into the daily operations of the construction activities: silt screens, barriers (*e.g.*, hay bales), berms/dikes, and or fences to be placed where and as needed. Fencing will be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations.

#### Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center

The proposed alternative would have no impact on wetlands or other waters of the United States. FEMA has determined that the proposed location is an urban, previously disturbed site, and is not a wetland subject to Executive Order 11990. The project as proposed would not require permits under § 404 of the Clean Water Act or § 10 of the Rivers and Harbors Act. In comments received on or around April 16, 2013, the EPA stated that jurisdictional waters of the United States do not occur at the proposed project site. In comments received on or around May 6, 2013, the USACE noted that the proposed project site is not a wetland subject to Corps' of Engineers jurisdiction, and that a Department of the Army permit under § 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site (*Appendix A*).

If the project results in a discharge to waters of the state, a Louisiana Pollution Discharge Elimination System (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 the nearby waters of the United States and well defined drainage areas surrounding the site, the contractor should implement Best Management Practices (BMPs) that meet the Louisiana Department of Environmental Quality's (LDEQ) permitting specifications for storm water discharge regulated under §§ 401 and 402 of the CWA, and include the following into the daily operations of the construction activities: silt screens, barriers (e.g., hay bales), berms/dikes, and or fences to be placed where and as needed. Fencing will be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations.

### **4.3 Floodplains**

#### **4.3.1 Regulatory Setting**

Executive Order 11988 (Floodplain Management) requires Federal agencies to avoid direct or indirect support or development within the 100-year floodplain whenever there is a practicable alternative. FEMA's regulations for complying with EO 11988 are found at 44 CFR Part 9.

#### **4.3.2 Existing Conditions**

In July 2005, FEMA initiated a series of flood insurance studies for many of the Louisiana coastal parishes as part of the Flood Map Modernization effort through FEMA's National Flood Insurance Fund. These studies were necessary because the flood hazard and risk information shown on many Flood Insurance Rate Maps (FIRMs) was developed during the 1970s, and the physical terrain had changed significantly, such as major loss of wetland areas. After hurricanes Katrina and Rita, FEMA expanded the scope of work to include all of coastal Louisiana. The magnitude of the impacts of Hurricanes Katrina and Rita reinforced the urgency to obtain additional flood recovery data for the coastal zones of Louisiana. More detailed analysis was possible because new data obtained after the hurricanes included information on levees and levee systems, new high-water marks, and new hurricane parameters (LaMP 2007).

During an initial post-hurricane analysis, FEMA determined that the "100-Year" or 1-percent chance storm flood elevations on FIRMs for many Louisiana communities, referred to as Base Flood Elevations (BFEs), were too low. FEMA created recovery maps showing the extent and magnitude of hurricanes Katrina's and Rita's surge, as well as information on other storms over the past 25 years (Lamp 2007). The 2006 advisory flood data shown on the recovery maps for the Louisiana-declared disaster areas show high-water marks surveyed after the storm; flood limits developed from these surveyed points; and Advisory Base Flood Elevations, or ABFEs. The recovery maps and other advisory data were developed to assist parish officials, homeowners, business owners, and other affected citizens with their recovery and rebuilding efforts (LaMP 2007).

Updated preliminary flood hazard maps from an intensive five-year mapping project guided by FEMA were provided to all Louisiana coastal parishes. The maps released in early 2008, known as Preliminary Digital Flood Insurance Rate Maps (DFIRMs), were based on the most technically advanced flood insurance studies ever performed for Louisiana, followed by multiple levels of review. The DFIRMs provided communities with a more scientific approach to

economic development, hazard mitigation planning, emergency response and post-flood recovery (LaMP 2007).

The USACE is currently working on a Hurricane and Storm Damage Risk Reduction System (HSDRRS) for the Greater New Orleans (GNO) area (Miller 2011). This 350-mile system of levees, floodwalls, surge barriers, and pump stations will reduce the flood risk associated with a storm event. In September of 2011, the USACE provided FEMA with assurances that the HSDRRS is capable of defending against a storm surge with a one percent (1%) annual chance event of occurring in any given year (Miller 2011). The areas protected include portions of St. Bernard, St. Charles, Jefferson, Orleans, and Plaquemines Parishes. FEMA has revised the preliminary DFIRMS within the HSDRRS to incorporate the reduced flood risk associated with the system improvements.

Where released and available, the 2012 Revised Preliminary DFIRMS are viewed as the best available flood risk data for FEMA's own grant programs in its implementation of E.O. 11988; however, 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 (Miller 2011). Orleans Parish enrolled in the NFIP as of 08/03/1970. Orleans Parish Advisory Base Flood Elevation Maps (ABFEs) were issued June 2006 (FEMA, 2006), and are currently adopted by the Orleans Parish NFIP community for floodplain management purposes. Per ABFE panel LA-DD32 (*Figure 10*), the site is located in the 100-year floodplain with a BFE of -1.5 or 3 ft. above the Highest Existing Adjacent Grade (HEAG). Per Revised Preliminary DFIRM panel 22071C0231F (2012), the site is located outside of the 100-year floodplain, but within the 500-year floodplain (shaded Zone X) (*Figure 11*).

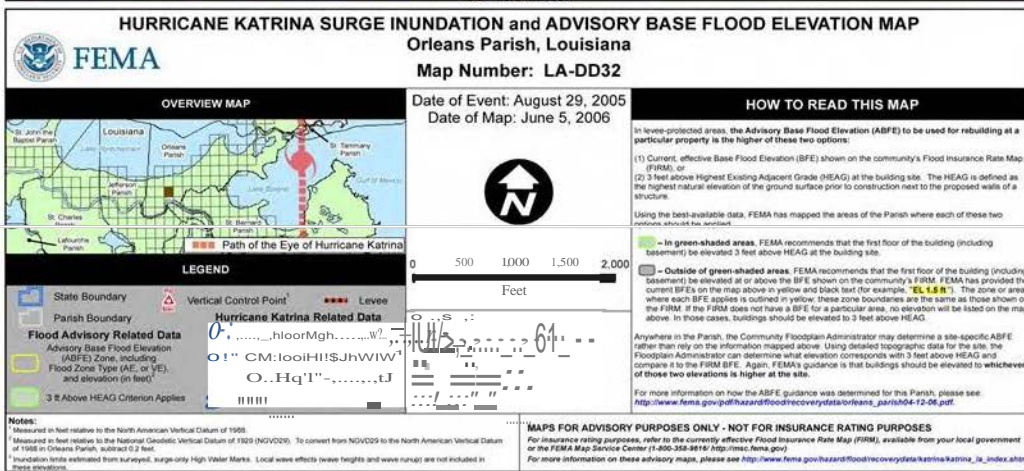
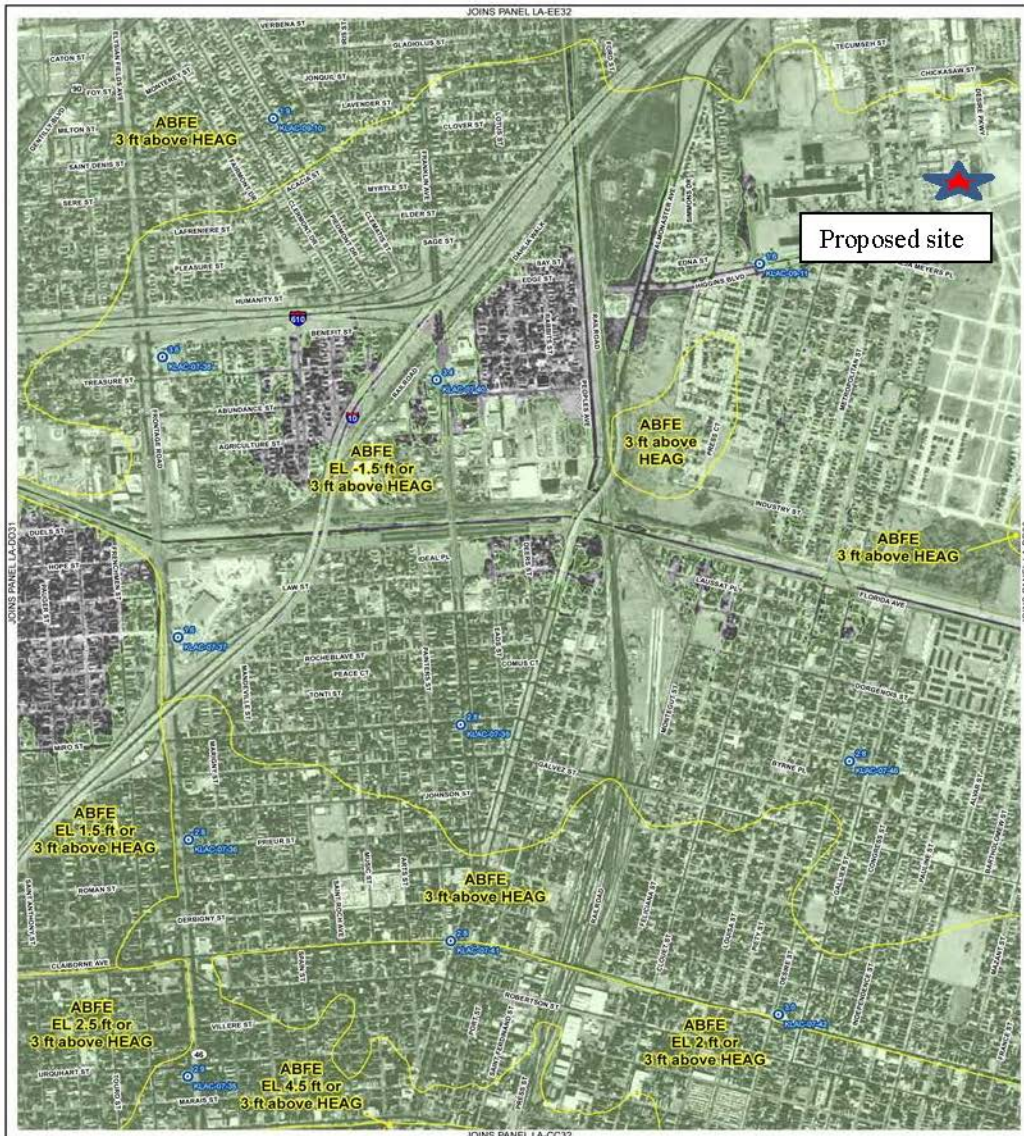


Figure tO-Advisory Base Flood Elevation Map OR-LA-DD32 (FEMA June 5, 2006)

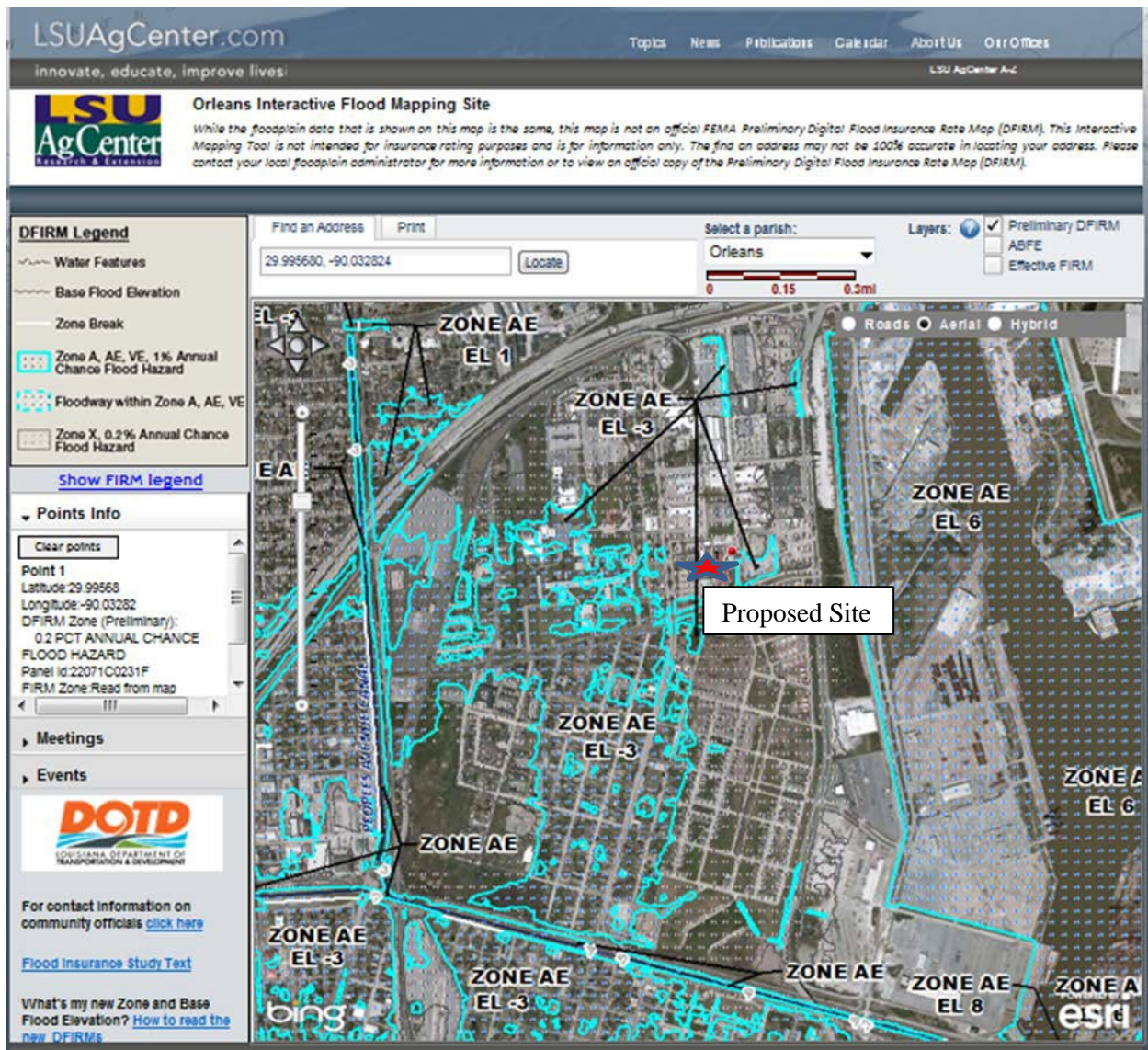


Figure 11 – Revised Digital Flood Insurance Rate Map Panel No. 22071C0231F (FEMA Preliminary Dated November 9, 2012)

### 4.3.3 Environmental Consequences

#### Alternative 1 – No Action

Under the No Action Alternative, there would be no determinable impact to flood elevations.

#### Alternative 2 – Reconstruct and Preserve Function/Configuration as an Educational Facility

The site is in an urban, previously developed location that currently serves as having a low capacity for ground water recharge, biological habitat, cultural value, and forestry value. Reconstruction would match the prior capacity of the pre-existing facility's footprint and would therefore not place within 100-year floodplain, structures which would impede or redirect flood flows. The facility will not likely have measurable effect on floodplain functions and values. Mitigation measures will be implemented to limit future flood loss. In compliance with EO 11988, an 8-step process was completed and documentation is attached in Appendix C.

Per 44 CFR 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. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s). All coordination with the local floodplain administrator, and applicant compliance should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.

#### Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center

The site is in an urban, previously developed location that currently serves as having a low capacity for ground water recharge, biological habitat, cultural value, and forestry value. The proposed facility will closely match the prior capacity of the pre-existing facility's footprint. The proposed wellness center would therefore not place within 100-year floodplain, structures which would impede or redirect flood flows. The facility will not likely have measurable effect on floodplain functions and values. Mitigation measures will be implemented to limit future flood loss. In compliance with EO 11988, an 8-step process was completed and documentation is attached in Appendix C.

Per 44 CFR 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. The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s). All coordination with the local floodplain administrator, and applicant compliance should be documented and copies forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.

## **4.4 Coastal Resources**

### **4.4.1 Regulatory Setting**

The Coastal Zone Management Act of 1972 (CZMA, or the Act) encourages the management of coastal zone areas and provides grants to be used in maintaining coastal zone areas. It requires that federal agencies be consistent in enforcing the policies of state coastal zone management programs when conducting or supporting activities that affect a coastal zone. It is intended to ensure that federal activities are consistent with state programs for the protection and, where, possible, enhancement of the nation's coastal zones.

The Act's definition of a coastal zone includes coastal waters extending to the outer limit of state submerged land title and ownership, adjacent shorelines, and land extending inward to the extent necessary to control shorelines. A coastal zone includes islands, beaches, transitional and intertidal areas, and salt marshes. The CZMA requires that states develop a State Coastal Zone Management Plan or program and that any federal agency conducting or supporting activities affecting the coastal zone conduct or support those activities in a manner consistent with the approved state plan or program. On September 28, 2012, the Louisiana Department of Natural Resources (LDNR), Office of Coastal Management, issued a letter of general consistency concurrence, "serv[ing] as formal notification that, as of October 1, 2012, the granting of any financial assistance as defined in 15 CFR § 930.91, is fully consistent with the Louisiana Coastal

Resources Program.” LDNR also regulates development in Louisiana’s designated coastal zone through the Coastal Use Permit (CUP) Program.

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 [OPAs]) 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.

#### 4.4.2 Existing Conditions

The proposed project site is in Orleans Parish, within the Louisiana Coastal Zone (*Figure 12*). The proposed project site is not located within a regulated CBRS.

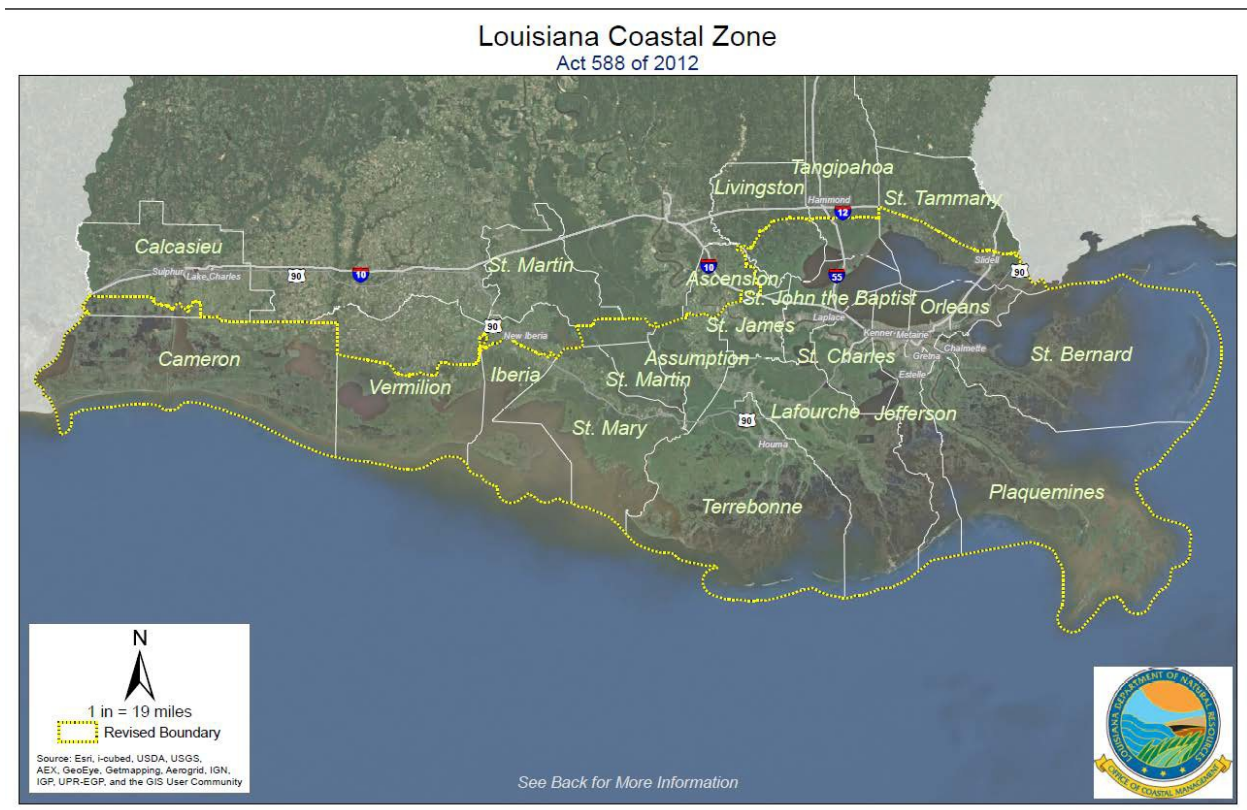


Figure 12 – Louisiana Coastal Zone Boundary Map

#### 4.4.3 Environmental Consequences

##### Alternative 1 – No Action

Under the No Action alternative, there would be no impacts to the Coastal Zone or to a CBRS unit; therefore, no review is required.

##### Alternative 2 – Reconstruct and Preserve Function/Configuration as an Educational Facility

Reconstruction of the storm-damaged structure at the existing site would involve construction activities within the Louisiana Coastal Management Zone. In a letter dated April 19, 2013,



LDNR-OCM noted the requirement that a complete CUP packet be submitted to their office for review and approval prior to construction at this site (*Appendix A*). The applicant would be responsible for coordinating with and obtaining any required CUPs or other authorizations from LDNR-OCM's Permits and Mitigation Division prior to initiating work.

The site is not within a CBRS unit and, therefore, does not trigger the CBRA.

#### Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center

The proposed action alternative would involve construction activities within the Louisiana Coastal Management Zone. In a letter dated April 19, 2013, LDNR-OCM advised that it requires a complete CUP packet be submitted to their office for review and approval prior to construction (*Appendix A*). The applicant is responsible for coordinating with and obtaining any required CUPs or other authorizations from LDNR-OCM's Permits and Mitigation Division prior to initiating work.

The proposed site is not within a CBRS unit; therefore, the Proposed Action Alternative does not trigger the CBRA.

## **4.5 Biological Resources**

### **4.5.1 Regulatory Setting**

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 in ESA § 3 as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or attempt to engage in any such conduct." "Harm," as defined by the ESA, includes 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 Migratory Bird Treaty Act (MBTA) of 1918 affirms the United States' commitment to the protection of migratory birds and their habitats and implements various international treaties and conventions (with Canada, Japan, Mexico and the former Soviet Union) for the protection of migratory bird resources. Under the MBTA, it is unlawful to pursue, hunt, take, capture, kill, or sell birds listed in the statute as "migratory birds". The MBTA does not discriminate between live or dead birds, and grants full protection to any bird parts, including feathers, eggs, and nests. Executive Order (E.O.) 13186 (Responsibilities of Federal Agencies to Protect Migratory Birds) strengthens the protection of migratory birds and their habitats by directing federal agencies to take certain actions that implement the MBTA.

### **4.5.2 Existing Conditions**

According to the USFWS, Information, Planning, and Conservation (IPaC) online system, accessed on June 5, 2013, one mammal species, the West Indian Manatee, and two fish species, the Gulf Sturgeon and Pallid Sturgeon, are federally listed by the U.S. Fish and Wildlife Service (USFWS) as endangered or threatened and are known to occur in select waterways of Orleans Parish (*Table 2*) (USFWS, IPaC, 2013). An individual bird species, Sprague's Pipit, is federally listed as a candidate species and may occur in the vicinity of the proposed project. (*Table 2*)

(USFWS, IPaC, 2013). A site visit conducted on May 7, 2013 confirmed that the proposed project site is located within a previously disturbed urban area. The proposed project site is located within the Louisiana Flyway (USFWS 2013). No state or federal parks, wildlife refuges, scenic streams, or wildlife management areas are known to exist at or in the vicinity of the proposed site. According to IPaC, no FWS Endangered Species Conservation measures were found for the project location (USFWS, IPaC, Last Accessed June 5, 2013).

Common Name	Scientific Name	Federal Status	Critical Habitat	Habitat Requirements	Impact*/Rationale
Gulf Sturgeon	<i>Acipenser oxyrinchus desotoi</i>	Threatened	Yes	Anadromous fish species that spends most of its life in freshwater habitats and spawns in estuarine bays. Found in a variety of substrate areas based on age class of species.	None / Less than significant impact could occur from storm runoff without proper BMPs in place at storm drain locations.
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	Endangered	No	Prefers large, free-flowing turbid rivers. No information exists on preferred spawning habitat.	None / Less than significant impact could occur from storm runoff without proper BMPs in place at storm drain locations.
West Indian Manatee	<i>Trichechus manatus</i>	Endangered	Yes <sup>1</sup>	Found in marine, estuarine, and freshwater environments with a strong preference for warm and well vegetated waters.	None / There are no habitat areas that are close or hydrologically connected to potential habitat.
Sprague's Pipit	<i>Anthus spragueii</i>	Candidate	No	Grassland bird that overwinters during its non-breeding season from western Louisiana to Mexico and southwestern states	None / Project area is outside the suggested overwintering range of this species.
* - Considers potential impacts of Alternatives 1-4 1 - Critical habitat is not designated in Louisiana					

**Table 2 - Federally Listed Species Known to Occur in Orleans Parish**  
Data Accessed 06/05/2013 from USFWS IPaC Web Portal

### **4.5.3 Environmental Consequences**

#### **Alternative 1 – No Action**

The No Action alternative would entail no undertaking and, therefore, would have no determinable impact on any biological resource.

#### **Alternative 2 – Reconstruct and Preserve Function/Configuration as an Educational Facility**

Reconstruction of the facility in the same configuration and site would have no impact on species federally listed as threatened or endangered, migratory birds or federally listed critical habitats. The U.S. Fish and Wildlife Service has interpreted Section 7(p) of the Endangered Species Act to mean that restoring any infrastructure damaged or lost due to the hurricane back to its original footprint does not require ESA consultation per USFWS letter of September 15, 2005.

#### **Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center**

The proposed project has been reviewed by the USFWS for effects to federal trust resources under their jurisdiction and currently protected by the Endangered Species Act of 1973. In correspondence dated April 23, 2013, 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 A*). A similar review was conducted by the LDNR, Office of Wildlife, Natural Heritage Program (LNHP). In correspondence dated April 12, 2013, the LNHP stated that the project as proposed would have no anticipated impact to any rare, threatened, or endangered species or critical habitats (*Appendix A*).

## **4.6 Cultural Resources**

### **4.6.1 Regulatory Setting**

The consideration of impacts to historic and cultural resources is mandated under Section 101(b)4 of the National Environmental Policy Act (NEPA) as implemented by 40 CFR, Parts 1501-1508. Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account their effects on historic properties (*i.e.*, historic and cultural resources) and allow the Advisory Council on Historic Preservation an opportunity to comment. FEMA has chosen to address potential impacts to historic properties through the “Section 106 consultation process” of the NHPA as implemented through 36 CFR, Part 800.

FEMA, the Louisiana State Historic Preservation Officer (SHPO), the Louisiana Governor’s Office of Homeland Security and Emergency Preparedness (LA GOHSEP), the Alabama-Coushatta Tribe of Texas, the Caddo Nation, the Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, the Coushatta Tribe of Louisiana, 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, the Tunica-Biloxi Tribe of Louisiana, and the Advisory Council on Historic Preservation, have executed a Statewide Programmatic Agreement dated August 17, 2009, and amended on July 22, 2011 (2009 Statewide PA, as amended). The proposed action is subject to the standard project review stipulation of the 2009 Statewide PA, as amended.

The “Section 106 process” outlined in the PA requires the identification of historic properties that may be affected by the proposed action or alternatives within the project’s area of potential effects (APE). Historic properties, defined in Section 101(a)(1)(A) of NHPA, include districts, sites (archaeological and religious/cultural), buildings, structures, and objects that are listed in or determined eligible for listing in the National Register of Historic Places (NRHP). Historic properties are identified by qualified agency representatives in consultation with interested parties. Below is a consideration of various alternatives and their effects on historic properties.

#### **4.6.2 Existing Conditions**

FEMA Historic Preservation Staff consulted the NRHP Database, and the Louisiana Cultural resources Map in February 2013. FEMA has determined that the APE for this Undertaking is not within an NRHP listed Historic District. There are also no known archaeological sites within the approximately 0.8 acre APE. The facility was determined to be less than 50 years of age and does not exhibit the significance to qualify for NRHP listing under Criterion Consideration G. All ground disturbance defined in this Undertaking will occur in previously disturbed ground.

#### **4.6.3 Environmental Consequences**

##### Alternative 1 – No Action

This alternative does not involve any FEMA undertaking; therefore FEMA has no further responsibilities under Section 106 of the NHPA.

##### Alternative 2 – Reconstruct and Preserve Function/Configuration as an Educational Facility

Under Alternative 2, based on research using the NRHP database, the Louisiana Cultural Resources Map on the Louisiana Division of Historic Preservation’s website, and agency files, FEMA has determined that the project area is not located within a listed or eligible historic district and no structures 50 years old or older are located within the vicinity of the proposed new buildings. There are also no known archaeological sites within the approximately 0.8 acre APE.

FEMA determined this scope of work meets the criteria in Appendix C: Programmatic Allowances, Item I, Section A of FEMA’s Programmatic Agreement (PA) dated August 17, 2009 and amended on July 22, 2011. In accordance with this PA, FEMA is not required to determine the National Register eligibility of properties where work performed meets the Appendix C criteria. The applicant must comply with the NHPA conditions set forth in Section 6.0 of this EA (Louisiana Unmarked Human Burial Sites Preservation Act and Inadvertent Discovery Clause).

##### Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center

For the Proposed Action Alternative, FEMA Historic Preservation staff reviewed the NRHP Database and the Louisiana Cultural Resources Map in February, 2013. FEMA has determined that the APE for this Undertaking is not within an NRHP listed Historic District. There are also no known archaeological sites within the approximately 0.8 acre APE. The facility was determined to be less than 50 years of age and does not exhibit the significance to qualify for NRHP listing under Criterion Consideration G. All ground disturbance defined in the Undertaking will occur in previously disturbed ground.

FEMA determined that this scope of work meets the criteria in Appendix C: Programmatic Allowances, Item I, Section A of FEMA's Programmatic Agreement (PA) dated August 17, 2009 and amended on July 22, 2011. In accordance with this PA, FEMA is not required to determine the National Register eligibility of properties where work performed meets the Appendix C criteria. The applicant must comply with the NHPA conditions set forth in Section 6.0 of this EA (Louisiana Unmarked Human Burial Sites Preservation Act and Inadvertent Discovery Clause).

## **4.7 Air Quality**

### **4.7.1 Regulatory Setting**

The Clean Air Act (CAA) of 1963, as amended, provides for federal protection of air quality by regulating air pollutant sources and setting emissions standards for certain air pollutants. Under CAA, states adopt ambient air quality standards in order to protect the public from potentially harmful amounts of pollutants. Under the CAA, the United States 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 the public welfare by promoting ecosystems health, and preventing decreased visibility and damage to crops and buildings. The EPA has set National Ambient Air Quality Standards (NAAQS) for the following six criteria pollutants: ozone (O<sub>3</sub>), particulate matter (PM<sub>2.5</sub>, PM<sub>10</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and lead (Pb).

The EPA has designated specific areas as NAAQS attainment or non-attainment areas. Non-attainment areas are any areas that do not meet the quality standard for a pollutant, while attainment areas do meet ambient air quality standards.

### **4.7.2 Existing Conditions**

In correspondence dated April 26, 2013, the LDEQ confirms that Orleans Parish is currently classified by the EPA as an attainment area and has no general conformity determination obligations (*Appendix A*).

### **4.7.3 Environmental Consequences**

#### **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 – Reconstruct and Preserve Function/Configuration as an Educational Facility**

Under this Action Alternative, short-term impacts to air quality could occur during excavation and construction. Particulate emissions from the generation of fugitive dust during project excavation and construction would be increased temporarily in the immediate project area. Other emission sources on site would be internal combustion engines and heavy construction equipment. The effects would be localized and of short duration.

To reduce potential short term effects to air quality from construction related activities, the contractor should be responsible for using BMPs to reduce fugitive dust generation and diesel emissions. The contractor would be required to water down construction areas when necessary to minimize particulate matter and dust. Emissions from fuel-burning internal combustion engines (e.g., heavy equipment and earthmoving machinery) could temporarily increase the levels of some of the criteria pollutants, including CO, NO<sub>2</sub>, O<sub>3</sub>, and PM<sub>10</sub>, and non-criteria pollutants such as volatile organic compounds. To reduce emission criteria pollutants, fuel-burning equipment running times would be kept at a minimum and engines would be properly maintained. Long term emissions, such as those generated by small engines used for lawn maintenance and offsite generation of electrical power are expected to be comparable to emissions generated by the previously existing multi-purpose structure and functions. The impacts are expected to be minor and localized.

#### Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center

Under the Proposed Action Alternative, short-term impacts to air quality could occur during excavation and construction. Particulate emissions from the generation of fugitive dust during project excavation and construction would be increased temporarily in the immediate project area as a result of this alternative. Other emission sources on site would be internal combustion engines and heavy construction equipment. The effects would be localized and of short duration.

To reduce potential short term effects to air quality from construction related activities, the contractor should be responsible for using BMPs to reduce fugitive dust generation and diesel emissions. The contractor would be required to water down construction areas when necessary to minimize particulate matter and dust. Emissions from fuel-burning internal combustion engines (e.g., heavy equipment and earthmoving machinery) could temporarily increase the levels of some of the criteria pollutants, including CO, NO<sub>2</sub>, O<sub>3</sub>, and PM<sub>10</sub>, and non-criteria pollutants such as volatile organic compounds. To reduce emission criteria pollutants, fuel-burning equipment running times would be kept at a minimum and engines would be properly maintained. Long term emissions, such as those generated by small engines used for lawn maintenance and offsite generation of electrical power are expected to be comparable to emissions generated by the previously existing multi-purpose structure and functions. The impacts are expected to be minor and localized.

## **4.8 Noise**

### **4.8.1 Regulatory Setting**

Noise is commonly defined as unwanted or unwelcome sound, and most commonly measured in decibels (dB) on the A-weighted scale, which is the scale most similar to the range of sounds that the human ear can hear. The Day-Night Average Sound Level (DNL) is an average measure of sound. The DNL descriptor is accepted by federal agencies as a standard for estimating sound impacts and establishing guidelines for compatible land uses. Sound is federally regulated by the Noise Control Act of 1972, which charges the EPA with preparing guidelines for acceptable ambient noise levels. EPA guidelines, and those of many other federal agencies, state that outdoor sound levels in excess of 55 dB DNL are “normally unacceptable” for noise-sensitive land uses including residences, schools, or hospitals (EPA, 1974). The Noise Control Act, however, only charges implementation of noise standards to those federal agencies that operate

noise-producing facilities or equipment. FEMA, by nature of its mission, does not have statutes defining noise.

Orleans Parish has made it unlawful to exceed maximum permissible sound limits in residential and noise-sensitive areas of public spaces. (*See* New Orleans, Louisiana Code of Ordinances, § 66-202). 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.

#### **4.8.2 Existing Conditions**

There are no noise sensitive receptors (i.e., hospitals, schools, churches) in the immediate or adjacent project area; however, several schools and churches are located within .5 miles of the proposed project site, at varying distances. FEMA's site visit performed on May 7, 2013 observed only traffic noise.

#### **4.8.3 Environmental Consequences**

##### **Alternative 1 – No Action**

Under the No Action Alternative, there would be no short or long term impact to noise levels because no construction would occur.

##### **Alternative 2 – Reconstruct and Preserve Function/Configuration as an Educational Facility**

Reconstruction of the storm-damaged facility would result in a slight increase in noise as a result of construction equipment and vehicular activity. Equipment and machinery utilized on the project site would meet all local, state and federal noise regulations. Although the proposed action would result in a slight increase in noise during construction, the noise is expected to be minor, localized, and short term. Normal activities at the reconstructed multi-purpose facility are unlikely to affect sensitive receptors in the area.

##### **Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center**

Construction of a new community wellness center would result in a slight increase in noise as a result of construction equipment and vehicular activity. Equipment and machinery utilized on the project site would meet all local, state and federal noise regulations. Although the proposed action would result in a slight increase in noise during construction, the noise is expected to be minor, localized, and short term. Normal activities at the new community wellness center are unlikely to affect sensitive receptors in the area.

### **4.9 Hazardous Materials**

#### **4.9.1 Regulatory Setting**

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 Toxic Substances Control Act of 1976 (TSCA); 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.

The TSCA (codified at 15 U.S.C., Ch. 53), authorizes the EPA to protect the public from “unreasonable risk of injury to health or the environment” by regulating the introduction, manufacture, importation, sale, use and disposal of specific new or already existing chemicals. “New Chemicals” are defined as “any chemical substance which is not included in the chemical substance list compiled and published under [TSCA] section 8(b).” Existing chemicals include any chemical currently listed under § 8(b), including polychlorinated biphenyls (PCBs), asbestos, radon, lead-based paint, chlorofluorocarbons, dioxin and hexavalent chromium.

TSCA Subchapter I, “Control of Toxic Substances” (§§ 2601-2629), regulates the disposal of PCB products, sets limits for PCB contamination of the environment, and authorizes the remediation of sites contaminated with PCB. Subchapter II, “Asbestos Hazard Emergency Response” (§§ 2641-2656), authorizes the EPA to impose requirements for asbestos abatement in schools, and requires accreditation of those who inspect asbestos-containing materials. Subchapter IV, “Lead Exposure Reduction” (§§ 2681-2692), requires the EPA to identify sources of lead contamination in the environment, to regulate the amounts of lead allowed in products, and to establish state programs that monitor and reduce lead exposure.

#### **4.9.2 Existing Conditions**

This section describes the potential for prior releases of hazardous materials to the environment at the proposed site, or close enough to the proposed site to have affected its surface soils or subsurface media (soils and groundwater). This EA also evaluates the potential for the proposed project to use hazardous materials, generate hazardous wastes, and release hazardous substances.

In March 2011, the Applicant commissioned a Phase I Environmental Site Assessment (ESA) for the project site, performed in accordance with Standard Designation E1527-05 of the American Society of Testing and Materials (*Appendix C*). Phase I ESAs are conducted when acquiring sites to evaluate the historical use of the site and to determine if there is a potential for hazardous materials use and or release from the site. The purpose of the ESA is to identify, to the extent feasible, recognized potential environmental conditions associated with the property. Environmental conditions include the presence of any hazardous substances or petroleum products on a property that indicate an existing release, past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property.

The ESA was conducted prior to demolition of the former multi-purpose structure in December 2011. The ESA identified no evidence of current hazardous substances or petroleum products at the site, but did note that underground storage tanks (USTs) were once located at the property site. Although the ESA states that the USTs were removed prior to 1975 and that no releases



were detected prior to or during removal, FEMA has determined that one 2,000-gallon diesel UST, one 1,000-gallon diesel UST, and two 1,000-gallon gasoline USTs were removed from the site in 1993, and that evidence of soil contamination was detected during the removal. See *Appendix C*, LDEQ Electronic Document Management System™ (EDMS), Search Results for AI 71726. Petroleum odors were detected in tank backfill soils during removal operations, but neither groundwater nor free-phase product. The then property owner, S. K. Whitty and Co., Inc., commissioned Rubark Environmental Services, Inc. to perform remedial action activities for the site. Closure of the site was granted by LDEQ on August 3, 1993, and a Termination of Remediation letter was issued by LDEQ on March 25, 1994, stating that termination of remediation was granted, and no further action was required at this facility. *Appendix C*, EDMS, Search Results for AI 71726.

The ESA also notes that several USTs have been removed from surrounding properties, with no reports of any releases. There is no indication of aboveground storage tanks having ever been present at the property. There are no records or other indication that the applicant or another entity ever used the property to store hazardous chemicals or to conduct environmentally hazardous activity. Ground surveillance revealed no visible signs of stressed vegetation or oil stained areas. Historical aerial photographs from 1952 to 2006 and topographical maps from 1891 to 1998 revealed no evidence of activities that would have led to environmental impacts. Several properties within a half mile radius of the project site were conditionally exempt small quantity generators. No violations at these facilities had been detected.

In addition to the site's UST removal and remediation information noted above, FEMA's review of data sources (*e.g.*, USEPA EnviroMapper, NEPAAssist, and EDMS) revealed that there are no present hazardous waste, Louisiana Volunteer Remedial Program (VRP)/Brownfield sites, or leaking underground storage tanks (LUSTs) located on or in close proximity to the proposed site. A review of the NEPAAssist and EDMS databases for other hazardous waste management and disposal, solid waste disposal, and enforcement for the proposed site revealed that there are several water dischargers (municipal and industrial wastewater treatment facilities authorized under the NPDES permit program to discharge pollutants into waters of the United States), air emission facilities (permitted stationary air pollution sources), and hazardous wastes (RCRA) facilities (generators, transporters, treaters, storers, or disposers of hazardous waste) within a .5 mile radius of the proposed project site, but no indication that these sites presently pose a concern. There are no recorded oil or gas wells on or near the proposed property site.

The site has no record or indication of past or present hazardous waste activities including notification as a hazardous waste generator or other regulated activity. The proposed project site is, however, located approximately .6 miles southwest of the Press Park Residential Development and Community Center (Press Park) (*Figure 13*). Press Park is situated on land that was formerly part of the Agricultural Street Landfill, a municipal landfill for the New Orleans area, active from approximately 1909 to 1958, and a superfund site (EPA Registry ID: 110009336557; EPA 2013). The site was placed on the National Priority List (NPL) in 1994 by EPA after investigations recorded elevated levels of COPCs consisting of lead, arsenic, and cPAHs in the soil. The site has been approximately 90% remediated and, currently, LDEQ is responsible for and performs semi-annual inspections to address certain site issues, including maintenance activities and reports of illegal dumping.



**Figure 13 – Proximity of Press Park to Proposed Project Site**

### **4.9.3 Environmental Consequences**

#### Alternative 1 – No Action

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

#### Alternative 2 – Reconstruct and Preserve Function/Configuration as an Educational Facility

Findings indicate that no hazardous materials, wastes, or substances, including contaminated soil or groundwater, appear to be present 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 should 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 amounts of hazardous wastes. Best management practices and appropriate measures to prevent, minimize, and control spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated disposed of in accordance with applicable federal, state, and local requirements.

#### Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center

Findings indicate that no hazardous materials, wastes, or substances, including contaminated soil or groundwater, appear to be present 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 should 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 amounts of hazardous wastes. Best management practices and appropriate measures to prevent, minimize, and control spills of hazardous materials should be taken, and any hazardous and non-hazardous wastes generated disposed of in accordance with applicable federal, state, and local requirements.

## **4.10 Environmental Justice**

### **4.10.1 Regulatory Setting**

Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” was signed on February 11, 1994. The Executive Order 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.

### **4.10.2 Existing Conditions**

Socioeconomic and demographic data for the project area was reviewed to determine if the proposed action would have a disproportionate adverse impact on minority or low-income persons. According to the U.S. Census, the population of the City of New Orleans is: 60.2% Black or African American, 33.0% White, and 2.9% Asian. The median household income for the City of New Orleans is \$37,468, and 24.4% of families earn below the poverty level.

According to the Greater New Orleans Community Data Center (GNOCDC), and U.S. Census, 95.3% of the population of the Desire Neighborhood sub-district of the Bywater District Area is Black or African American; 1.8% is White; 0% is Asian; and 1.5% is Hispanic. The median household income for the 70126 area code, the project area, is \$30,445. Approximately 37.8% of families in the Desire neighborhood live in poverty. (GNOCDC, 2012).

Health data statistics for the Environmental Justice Assessment (EJA) section of NEPAassist are provided by the Centers for Disease Control and Prevention (CDC), National Center for Health Statistics (NCHS), the official source for vital statistics. Percentile values and rankings were derived from the 2005 NATA (National-Scale Air Toxics Assessment) Cancer Risk Estimates and Non-Cancer Hazard Index Scores. Percentiles are ranking of U.S. counties and states from 0 (lowest) to 100 (highest). According to the NCHS, state of Louisiana and Orleans Parish percentile ranks for cancer risk, neurological hazard risk, and respiratory hazard risk are percentile: 69.2 and 98.7; 42.3 and 95.7; and 40.4 and 93.2, respectively (EPA 2013).

### **4.10.3 Environmental Consequences**

#### **Alternative 1 – No Action**

The No Action Alternative would result in the lost functions not being replaced, thus potentially depriving the community of essential services and resulting in adverse or disproportionate impacts on minority or low-income populations.

#### **Alternative 2 – Reconstruct and Preserve Function/Configuration as an Educational Facility**

Restoring educational functions at the project site would likely bestow some level of social and or economic benefit to area residents, and would not result in disproportionate adverse impacts to low-income or minority populations.

#### **Alternative 3 – Reconstruct and Reconfigure to Function as a New Community Wellness Center**

The Proposed Action will have no disproportionate adverse human health, economic, or social effects on low-income or minority populations. The project would provide long term benefits to the community by providing accessible and affordable dental and other health care services to all residents of the community.

## **5.0 CUMULATIVE IMPACTS**

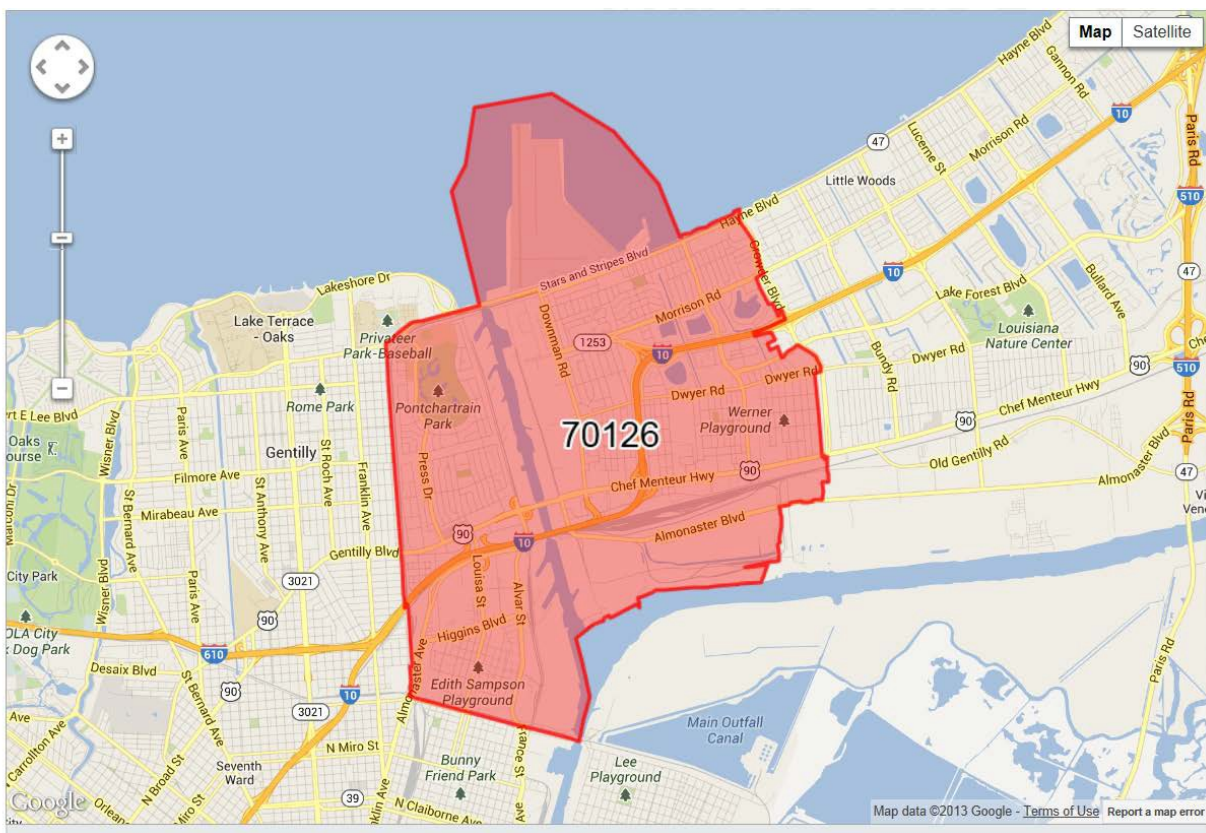
The Council on Environmental Quality’s (CEQ) regulations state that cumulative impacts represent the “impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 C.F.R. § 1508.7).

In its comprehensive guidance on cumulative impacts analysis under NEPA, the CEQ notes that: “[t]he range of actions that must be considered includes not only the project proposal, but all connected and similar actions that could contribute to cumulative effects” (CEQ, 1997). The term “similar actions” may be defined as “reasonably foreseeable or proposed agency actions [with] similarities that provide a basis for evaluating the environmental consequences together, such as common timing or geography.” 40 C.F.R. § 1508.25(a)(3); *see also* 40 C.R.R. §§ 1508.25(a)(2) and (c).

Not all potential issues identified during cumulative effects scoping need be included in an EA. Because some effects may be irrelevant or inconsequential to decisions about the proposed action and alternatives, the focus of the cumulative effects analysis should be narrowed to important issues of national, regional, or local significance. To assist agencies in this narrowing process, CEQ lists seven (7) basic questions, including: (1) is the proposed action one of several similar past, present, or future actions in the same geographic area; (2) do other activities (governmental or private) in the region have environmental effects similar to those of the proposed action; (3) have any recent or ongoing NEPA analyses of similar actions or nearby actions identified important adverse or beneficial cumulative effect issues; and, (4) has the impact been historically significant, such that the importance of the resource is defined by past loss, past gain, or investments to restore resources (CEQ, 1997, Table 2-1).

It is normally insufficient when analyzing the contribution of a proposed action to cumulative effects to merely analyze effects within the immediate area of the proposed action (CEQ, 1997, pg. 12). Geographic boundaries should be expanded for cumulative effects analysis, and conducted on the scale of human communities, landscapes, watersheds, or airsheds. Temporal frames should be extended to encompass additional effects on the resources, ecosystems, and human communities of concern. A useful concept in determining appropriate geographic boundaries for a cumulative effects analysis is the project impact zone; *i.e.*, the area (and resources within that area) that could be affected by the proposed action. The area appropriate for analysis of cumulative effects will, in most instances, be a larger geographic area occupied by resources outside of the project impact zone.

The proposed project site at 3600 Desire Parkway is located in New Orleans' Desire neighborhood, within the 70126 zip code geographic area (*Figure 14*). FEMA has determined that the area within a .5 mile radius of the site constitutes an appropriate project impact zone, and the larger geographic area consisting of the 70126 zip code constitutes an appropriate boundary, for a cumulative impact analysis of the proposed action and alternatives.

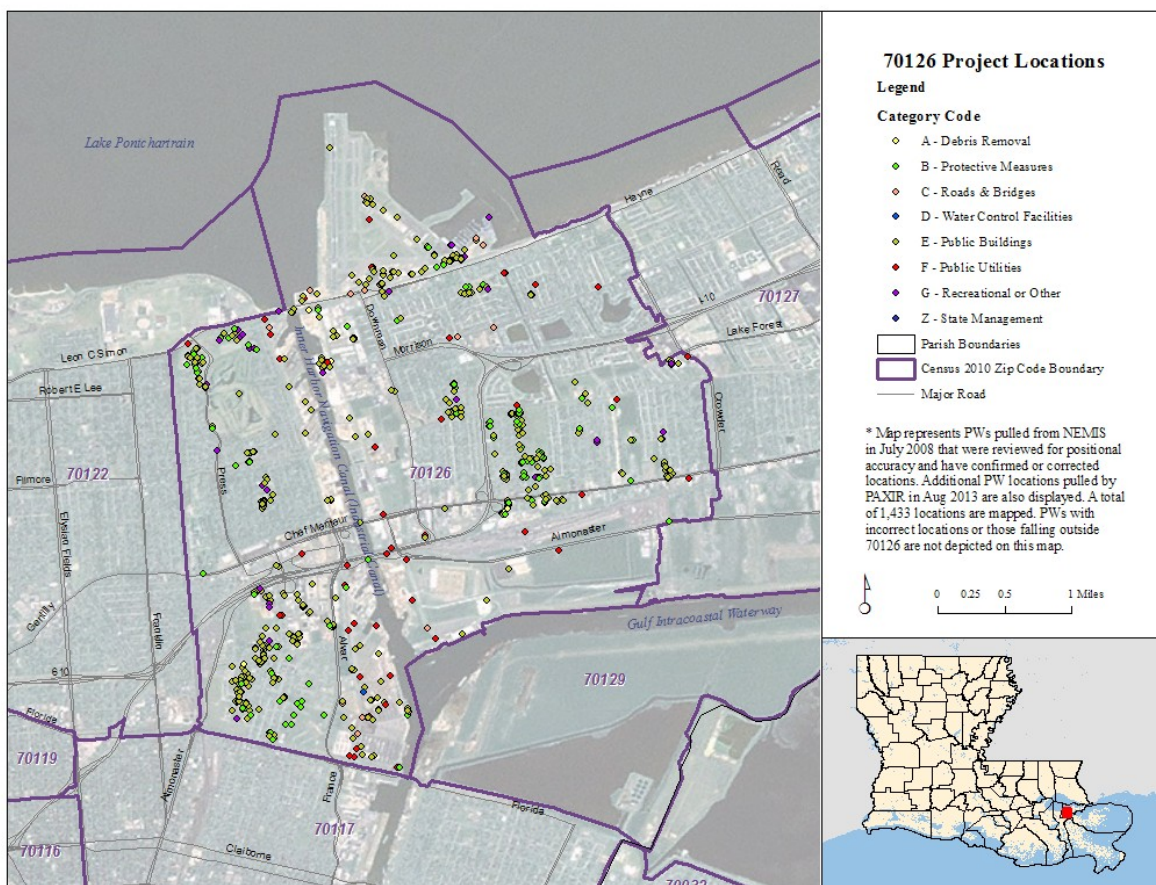


**Figure 14 – Boundary Map for the 70126 Zip Code Geographic Area**

In accordance with NEPA, and to the extent reasonable and practicable, this draft EA considered the combined effects of the Proposed Action Alternative and other actions undertaken by FEMA and other public and private entities that affect environmental resources the proposed action would affect, and occur within the considered geographic area and temporal frame(s).

Specifically, a range of past, present and reasonably foreseeable actions undertaken by FEMA within the designated geographic boundary area were reviewed: (1) for similarities such as scope of work, common timing and geography; (2) to determine environmental effects similar to those of the proposed action, if any; and (3) to identify the potential for cumulative impacts. As part of the cumulative effects analysis, FEMA also reviewed past, present and reasonably foreseeable projects of federal resource agencies and other parties within the designated geographic boundary. These reviews were performed in order to assess the proposed actions and effects of completed and ongoing actions, and to determine whether the incremental impact of the instant proposed action, when combined with the effects of other past, present, and reasonably foreseeable future projects, are cumulatively considerable or significant.

From August 2005 continuing to August 2013, approximately 1,433 FEMA PA program funded, and numerous non-FEMA funded, debris removal, protective measures, and repair projects have occurred, are occurring, or are reasonably foreseen to occur (developed with enough specificity to provide useful information to a decision maker and the interested public) within the 70126 geographic area, to buildings, roads and bridges, recreational and educational facilities, public utilities, waterways, levees, and more (*Figure 15*). All FEMA funded actions are subjected to various levels of environmental review as a requirement for the receipt of federal funding. An applicant's failure to comply with any required environmental permitting or other condition is a serious violation which can result in the loss of federal assistance, including funding.



**Figure 15 – FEMA-Funded Projects Occurring Within the 70126 Zip Code**

Table 3 below lists and briefly describes present, past, and reasonably foreseeable infrastructure and recovery improvement projects in the 70126 geographic area that are known to FEMA for which environmental assessments were performed, and or that may have the potential for cumulative impacts when combined with the effects of the present proposed action. Table 3 also identifies the potential for cumulative impacts, and the rationale for that assessment.

<b>Project Name / Status</b>	<b>Lead Agency</b>	<b>Location</b>	<b>Description</b>	<b>Cumulative Impacts</b>	<b>Rationale</b>
<b>AI 1718 - HANO, Press Park Residential Development &amp; Community Center / EA in Progress</b>	FEMA	Intersection of Press and benefit Streets 70126 Long./Lat. 29.990833, - 90.039722	Demolish housing facilities to concrete slab foundations with no remediation; all utilities capped in place; non HANO properties will not be demolished and will be maintained by HANO; HANO will ensure braces remain secure and stable, vegetation is preserved, locked fencing remains around property; no removal of concrete slabs or other concrete/asphalt areas or utility lines; no soil disturbance.	Less than significant.	EA in progress; anticipated long-term beneficial cumulative effects to socioeconomic and cultural resources; anticipated short-term impacts only to transportation, air quality, and noise during demo period; conditions required to minimize/mitigate impacts to site and surrounding areas. Federal environmental permitting requirements as a condition for FEMA funding.
<b>AI 1798 - Joseph Bartholomew Maintenance Building / FONSI</b>	FEMA	4800 Hayne Blvd., 70126 Long./Lat. 30.02842, - 90.04040	Replace maintenance building in new location approximately 100 feet southeast of existing structure; new facility consistent with function, capacity, size and purpose of damaged facility. Site preparation, construction of new building, installation of necessary utilities and appurtenances.	Less than significant.	FONSI (Finding Of No Significant Impact) 2012; anticipated long-term beneficial cumulative effects to socioeconomic and cultural resources; short term impacts to soils, water quality, transportation, air quality, and noise; cultural resources impacts during ground disturbing activities; NHPA § 106 consultation ongoing to limit potential impacts which could occur; short term impacts conditioned to minimize and mitigate impacts to project site and surrounding areas; permit requirements as a condition for FEMA funding.

<b>Project Name / Status</b>	<b>Lead Agency</b>	<b>Location</b>	<b>Description</b>	<b>Cumulative Impacts</b>	<b>Rationale</b>
<b>AI 1409 - Wesley Barrow Stadium / FONSI</b>	FEMA	6500 Press Drive, 70126 Long/Lat. 30.02881, -90.04205	Reconstruct 4,670 sf stadium facility at same site of damaged 2,900 sf stadium, in a different orientation. Site preparation, construction of building and necessary utilities and appurtenances.	Less than significant.	FONSI 2011; anticipated long-term beneficial cumulative effects to socioeconomic and cultural resources; anticipated short-term impacts to soils, water quality, transportation, air quality, and noise; cultural resources impacts during ground disturbing activities; NHPA § 106 consultation on-going to limit potential impacts which could occur; all short term impacts conditioned to minimize and mitigate impacts to project site and surrounding areas; permit requirements are a condition for FEMA funding.
<b>LPV 105.01, 105.02, 105.03</b> Lakefront Airport Floodwalls / complete.	USACE	Lakefront Airport	Reconstruct floodwalls to 100 year elevation; replace existing walls with new T-Walls; raise embankment.	No impacts.	Project completed in 2012. Affected resources are significantly different from those in proposed action and alternatives, and overall expected to be beneficial investment to resources.
<b>LPV 117.01, 117.02</b> / Restore HPS to authorized elevation / complete	USACE	Almonaster to Lakefront Floodwall	Install new relief walls; lower 21 existing wells; place new collector pipe; construct sheetpile cutoff wall to intercept seepage.	No impacts.	Projects completed in 2010. Affected resources are significantly different from those in proposed action and alternatives, and overall expected to be beneficial investment to resources.
<b>SELA-19, 20</b> / Major canal improvement with pile founded concrete flume / SELA-19 in progress; SELA-20 contract award 2014.	USACE	Florida Avenue Canal	Remove existing drainage path paralleling Florida Avenue Canal; construct pile-founded concrete flume in Florida Avenue Canal; construct lateral drainage culvert under Desire Street from new Florida Avenue flume to existing drainage at North Dorgenois Street.	Less than significant.	Expected impacts to resources would be significantly different from those expected to be affected by the proposed action and alternative, and overall expected to be beneficial to resources. Effects to similar resources would be minimal and temporary.



<b>Project Name / Status</b>	<b>Lead Agency</b>	<b>Location</b>	<b>Description</b>	<b>Cumulative Impacts</b>	<b>Rationale</b>
<b>SELA-26/</b> Major canal improvement with pile founded concrete flume / contract awarded in 2014.	USACE	Florida Avenue Canal; Peoples Canal	Remove existing drainage; construct pile founded concrete flume to tie into Florida Avenue Canal at Ferdinand Street continuing to Pump Station D; construct pile founded box culvert and transition flume in the Peoples Canal; construct lateral drainage culverts under Deers, Eads, Painter, Benefit, Treasure and Abundance Streets; construct concrete pipe under Eads Street from 175 ft north to 175 ft south of Abundance Street	Less than significant	The expected impacts to resources would be significantly different from those expected to be affected by the proposed action and alternative, and overall expected to be beneficial to resources. Effects to similar resources would be minimal and temporary.
<b>IHNC-01- IHNC</b> (Inner Harbor Navigation Canal) Flood Protection Seabrook Gate / Complete	USACE	540 feet south of Ted Hickey Bridge at confluence of IHNC and Lake Pontchartrain	Construct Seabrook gate – 95 foot navigable sector gate with a -16 sill elevation and two auxiliary flow non-navigable 50 feet wide vertical lift gates	No impacts.	Completed 2009. Affected resources are significantly different from those in proposed action and alternatives, and overall expected to be beneficial to resources.
<b>SELA-18 – Dwyer Road PS Intake Culvert/ Unknown</b>	USACE	Dwyer Road Pump Station	Construct 6,800 feet of a 14x12 foot concrete box culvert under Dwyer Road connecting the St. Charles Canal to the Dwyer Pump Station.	Less than significant.	Contract awarded 2008. The expected impacts to resources would be significantly different from those expected to be affected by the proposed action and alternative, and overall expected to be beneficial to resources. Effects to similar resources would be minimal and temporary.
<b>SELA-OG-3 – Dwyer Road Pump Station Improvements/ In progress</b>	USACE	Dwyer Road Pump Station – intersection of Dwyer and Jourdan Roads	Construct new pump station that will provide an additional 875 cubic feet per second of pumping capacity bringing total station capacity to 1000 cfs.	No impacts.	Completed 2010. The expected impacts to resources would be significantly different from those expected to be affected by the proposed action and alternative, and overall expected to be beneficial to resources. Effects to similar resources would be minimal and temporary.

**Table 3 – Projects that May Have the Potential to Contribute to Cumulative Impacts**

FEMA has determined that the incremental effects of the other infrastructure recovery and improvement actions are likely to be similar to the impacts and effects described in this EA for the present proposed action, in that the effects to socioeconomic resources are expected to be beneficial, and effects to other resources expected to be either non-existent, or minimal and

temporary. FEMA has further determined that the incremental impact of the present proposed project, when combined with the effects of other past, present, and reasonably foreseeable future projects, are neither cumulatively considerable nor significant.

These infrastructure actions, some of which have already occurred, and many of which will occur concurrent with and or subsequent to the proposed action, are necessary as a result of the unprecedented devastation caused by the 2005 hurricanes, in order to restore pre-disaster conditions. In reviewing impacts, socioeconomic resources were identified as having the most potential to experience cumulative effects. Although devastating, the 2005 storms created an opportunity for the Applicant to serve residents in the Desire area and surrounding neighborhoods by opening a neighborhood clinic for dental, medical, and other wellness services, thereby filling a void for available healthcare services. Considered in relation to past, present, and reasonably foreseeable future actions, the cumulative impact of the proposed action to the built and natural environment would be minimal, would be beneficial rather than detrimental, and is not expected to contribute to any adverse effects or to otherwise significantly affect the human environment.

## **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 DSM prior to and during project implementation.

- New construction must be compliant with current codes and standards. In accordance with applicable local, state, and federal regulations, the applicant is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities.
- A Louisiana Pollution Discharge Elimination System (LPDES) may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If required to do so by LDEQ, the Applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution prevention plan approved by LDEQ to prevent sediment and construction material transport from the project site. The Applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- The Applicant should ensure that best management practices that meet the LDEQ permitting specifications for storm water discharge regulated under §§ 401 and 402 of the CWA are implemented in order to minimize indirect impacts (erosion, sedimentation, dust and other construction-related disturbances) to the nearby waters of the United States and well defined drainage areas surrounding the site, and include the following into the daily operations of the construction activities: silt screens, barriers (*e.g.*, hay bales), berms/dikes, and or fences to be placed where and as needed. Fencing should be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations.
- New construction must be compliant with current codes and standards. 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 National Flood Insurance Program. The applicant is required to coordinate all construction activities with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities, and remain in compliance with formally adopted local floodplain ordinances. All coordination pertaining to these permit(s) should be documented and provided to the local floodplain administrator, to the Louisiana Governor's Office of Homeland Security and Emergency preparedness (LA GOHSEP), and to FEMA as part of the permanent project file. Per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.

- The project has been found by the Louisiana Department of Natural Resources (LDNR) to be inside the Louisiana Coastal Zone. LDNR, therefore requires 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. The Applicant is responsible for coordinating with and obtaining any required Coastal Use Permit(s) (CUP) or other authorizations from the LDNR Office of Coastal Management's Permits and Mitigation Division prior to initiating work. The applicant must comply with all conditions of the required permits. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.
- To reduce potential short term effects to air quality from construction related activities, the contractor should use BMPs to reduce fugitive dust generation and diesel emissions. The contractor should water down construction areas when necessary to minimize particulate matter and dust. To reduce emission criteria pollutants, fuel-burning equipment running times should be kept at a minimum and engines should be properly maintained.
- Construction traffic should be closely monitored and controlled as appropriate. All construction activities should be conducted in a safe manner in accordance with Occupational Safety and Health Act (OSHA) requirements.
- Project construction may 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 amounts 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.
- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present with the project area, 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.

- Inadvertent Discovery Clause: If during the course of work, archaeological artifacts (prehistoric or historic) 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, and others as appropriate.
- 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 should be initiated in accordance with applicable federal, state, and local regulations.

## **7.0 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 resource agencies include the Louisiana State Historical Preservation Officer, U.S. Fish and Wildlife Service, the Governor's Office of Homeland Security and Emergency Preparedness, Louisiana Department of Environmental Quality, Louisiana Department of Wildlife and Fisheries, U.S. Environmental Protection Agency, Louisiana Department of Natural Resources, National Resources Conservation Service, and the U.S. Army Corps of Engineers.

FEMA has received no objections to the project as proposed. Comments and conditions received from the agencies have been incorporated into this Environmental Assessment (*see Appendix B*).

## **8.0 PUBLIC INVOLVEMENT**

Post-Katrina, the Applicant and its strategic partners have surveyed neighborhood residents to determine the community's most pressing issues and obstacles to recovery, engaged in public meetings, and kept the public informed concerning planning efforts aimed at redeveloping and revitalizing the Desire area and surrounding Upper Ninth Ward neighborhoods. Community meetings were held at Desire Street Ministries on December 3, 2008, January 12, 2009, and March 3, 2009, subsequent meetings were held to gather community input on neighborhood master plan options relative to neighborhood issues, access, land use, site layout and urban design scenarios, and analyses were performed for community demographics, land use, zoning, and other planning factors (CDC 58:12, 2009).

Similar to the process used by the Applicant and its strategic partners to develop the Desire Community Development Plan, the City Council of New Orleans, in developing the Desire Area Neighborhood Planning District 7 Rebuilding Plan, engaged in a neighborhood planning process for the Desire Area neighborhood that included community meetings in May 2006 at Our Lady

Star of the Sea Church; a Saturday morning meeting sponsored by Reverend Ben Edwards and held on a Saturday morning in the heart of the neighborhood; meetings on July 29, August 17, August 20, and August 27, 2006, at several different locations, to allow individual community members “to identify issues, opportunities, liabilities, and assets in their neighborhoods; district planning meetings; forums and surveys (Lambert, 2006).

FEMA will invite the public to comment on the proposed action during a fifteen (15) day comment period. A public notice will be published for three (3) days in the local newspaper, *The Times-Picayune*, announcing the availability of this draft EA for review at the Orleans Parish Main Library at 219 Loyola Avenue, New Orleans, LA 70112, and at the Alvar Branch at 913 Alvar Street, New Orleans, LA 70117. A copy of the Public Notice is attached in Appendix D.

## **9.0 LIST OF PREPARERS**

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**Appendix A**  
**Agency Correspondence**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

April 16, 2013

Joseph Chauvin  
Environmental Specialist  
U.S. Department of Homeland Security  
FEMA-DR 1603/1607 LA  
1 Seine Court  
New Orleans, Louisiana 70114

Dear Mr. Chauvin:

The U.S. Environmental Protection Agency (EPA) has completed your request for a solicitation of views concerning the Desire Street Ministries' proposed wellness center (AI #1909). The comments that follow are being provided relative to the EPA's *404(b)(J) Guidelines for Specification of Disposal Sites for Dredged or Fill Material (40 CFR Part 230)*.

Our preliminary review revealed that jurisdictional waters of the U.S. do not occur at the proposed sites. At this time, the EPA does not object to the project as proposed. Thanks for the opportunity to review the proposed project. If you have any questions or would like to discuss the issue further, please do not hesitate to contact me at [Gutierrez.raul@epa.gov](mailto:Gutierrez.raul@epa.gov) or 214-665-6697.

Sincerely yours,

A stylized signature of Raul Gutierrez, Ph.D., consisting of a large, bold, black letter 'Q' followed by a smaller, bold, black letter 't'.

Raul Gutierrez, Ph.D.  
Wetlands Section  
Water Quality Protection Division



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

April 16, 2013

Ms. Tiffany Spann-Winnfield  
Deputy Environmental Liaison Officer  
U. S. Dept. of Homeland Security  
Federal Emergency Management Agency  
1 Seine Ct, 4th Floor  
New Orleans, LA 70114

Dear Ms. Spann-Winnfield:

We have received your April 10, 2013, memorandum via email requesting our evaluation of the potential environmental impacts that might result from the following project:

Construct Community Wellness Center  
3600 Desire Parkway  
Orleans Parish  
New Orleans, Louisiana

In administering the sole source aquifer (SSA) program under Section 1424 of the Safe Drinking Water Act our Office performs evaluations of projects with federal financial assistance which are located over a designated sole source aquifer.

Based on the information provided, we have concluded that the project does not lie within the boundaries of a designated sole source aquifer and is thus not eligible for review under the SSA program.

If you did not include the Parish; a legal description; project location, please do so in future Sole Source Aquifer correspondence.

If you have any questions on this letter or the sole source aquifer program please contact me at (214) 665-7133.

Sincerely your

Michael Bechdol  
Sole Source Aquifer Program  
Ground Water/UIC Section

---

cc: Jesse Means, LDEQ  
Joseph Chauvin, FEMA

## Chichester, Shelly

---

**From:** Beth Altazan-Dixon <Beth.Dixon@LA.GOV>  
**Sent:** Friday, April 26, 2013 11:06  
**To:** Chauvin, Joseph  
**Subject:** DEQ SOV 130410/0655 3600 Desire Parkway-New Facility Construction

April 26, 2013

Tiffany Spann-Winfield, Deputy Environmental Liaison Officer  
FEMA-Environmental Section, 4th Floor  
1 Seine Court  
New Orleans, LA 70114  
[Joseph.C Chauvin@fema.dhs.gov](mailto:Joseph.C Chauvin@fema.dhs.gov)

RE: 130410/0655 3600 Desire Parkway-New Facility Construction  
FEMA Funding  
Orleans Parish

Dear Ms. Spann-Winfield:

The Department of Environmental Quality (LDEQ), Business and Community Outreach Division has received your request for comments on the above referenced project.

After reviewing your request, the Department has no objections based on the information provided in your submittal. However, for your information, the following general comments have been included. Please be advised that if you should encounter a problem during the implementation of this project, you should immediately notify LDEQ's Single-Point-of-contact (SPOC) at (225) 219-3640.

- Please take any necessary steps to obtain and/or update all necessary approvals and environmental permits regarding this proposed project.
- If your project results in a discharge to waters of the state, submittal of a Louisiana Pollutant Discharge Elimination System (LPDES) application may be necessary.
- 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.
- All precautions should be observed to control nonpoint source pollution from construction activities. LDEQ has stormwater general permits for construction areas equal to or greater than one acre. It is recommended that you contact the LDEQ Water Permits Division at (225) 219-9371 to determine if your proposed project requires a permit.
- If your project will include a sanitary wastewater treatment facility, a Sewage Sludge and Biosolids Use or Disposal Permit application or Notice of Intent must be submitted no later than January 1, 2013. Additional information may be obtained on the LDEQ website at <http://www.deg.louisiana.gov/portal/tabid/2296/Default.aspx> or by contacting the LDEQ Water Permits Division at (225) 219-9371.
- If any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps directly regarding permitting issues. If a Corps permit is required, part of the application process may involve a water quality certification from LDEQ.
- All precautions should be observed to protect the groundwater of the region.
- Please be advised that water softeners generate wastewaters that may require special limitations depending on local water quality considerations. Therefore if your water system improvements include water softeners, you are advised to contact the LDEQ Water Permits to determine if special water quality-based limitations will be necessary.
- Any renovation or remodeling must comply with LAC 33:111.Chapter 28, Lead-Based Paint Activities; LAC 33:111.Chapter 27, Asbestos-Containing Materials in Schools and State Buildings (includes all training and accreditation); and LAC 33:111.5151, Emission Standard for Asbestos for any renovations or demolitions.

- If any solid or hazardous ~~soils~~ soils and/or groundwater ~~contaminated~~ with hazardous constituents are

w

encountered during the project, notification to LDEQ's Single-Point-of-Contact (SPOC) at (225) 219-3640 is required. Additionally, precautions should be taken to protect workers from these hazardous constituents.

**Currently, Orleans Parish is classified as attainment with the National Ambient Air Quality Standards and has no general conformity determination obligations.**

Please send all future requests to my attention. If you have any questions, please feel free to contact me at (225) 219-3958 or by email at [beth.dixon@la.gov](mailto:beth.dixon@la.gov).

Sincerely,



Beth Altazan-Dixon, EPS III  
Performance Management  
LDEQ/Office of the Secretary  
Business and Community Outreach and Incentives Division  
P.O. Box 4301 (602 N. 5th Street)  
Baton Rouge, LA 70821-4301  
Phone: 225-219-3955  
Fax: 225-325-8148  
Email: [beth.dixon@La.gov](mailto:beth.dixon@La.gov)



State of Louisiana  
DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF COASTAL MANAGEMENT

04/19/2013

U.S. DEPARTMENT OF HOMELAND SECURITY - FEMA  
1 SEINE CT., 4TH FLOOR  
NEW ORLEANS, LA 70114

**RE: P20130553, Solicitation of Views**  
**U.S. DEPARTMENT OF HOMELAND SECURITY - FEMA**  
**Description:** Construction of a new community wellness center.  
**Location:** Lat. 29° 59' 44.45"N, Long. 90° 01' 58.17"W; 3600 Desire Parkway;  
New Orleans, LA.  
**Orleans Parish, LA**

Dear Joseph Chauvin:

We have received your Solicitation of Views for the above referenced project, which has been found to be inside the Louisiana Coastal Zone. In order for us to properly review and evaluate this project, we require that a complete Coastal Use Permit Application packet (Joint Application Form, locality maps, project illustration plats with plan and cross section views, etc.) along with the appropriate application fee be submitted to our office. Using your complete application, we can provide you with an official determination, and begin the processing of any Coastal Use Permit that may be required for your project. You may obtain a free application packet by calling our office at (225) 342-7591 or (800)-267-4019, or by visiting our website at <http://www.dnr.state.la.us/crm/coastmgt/cup/cup.asp>.

We recommend that, during your planning process, you make every effort to minimize impacts to vegetated wetlands. As our legislative mandate puts great emphasis on avoiding damages to these habitats, in many cases the negotiations involved in reducing such disturbances and developing the required mitigation to offset the lost habitat values delay permit approval longer than any other factor. Additionally, the following sensitive features may require additional processing time by the appropriate resource agencies: The area where the project is located is all part of the aboriginal homelands of the Chitimacha Tribe of Louisiana. As such, large villages, burial sites, and sacred sites were in place in that entire area. If at any time during the course of the work, any traditional cultural properties are discovered, Permittee shall immediately contact Kimberly S. Walden (Cultural Director) or Melanie Aymond (Research Coordinator) at (337) 923-9923 or (337) 923-4395. Office hours are Monday through Thursday from 7:30 A.M. - 5:00 P.M. and on Friday between 7:30 A.M. - 11:30 A.M. If traditional cultural properties are discovered on the weekend or after business hours, the notification shall be made the next business morning.

Permittee shall contact the Orleans Levee District (Attn: Gerard Gillen, III, 6920 Franklin Avenue,

Post Office Box 44487 • Baton Rouge, Louisiana 70804-4487  
617 North Third Street • 10th Floor • Suite 1078 • Baton Rouge, Louisiana 70802  
(225) 342-7591 • Fax (225) 342-9439 • <http://www.dnr.louisiana.gov>

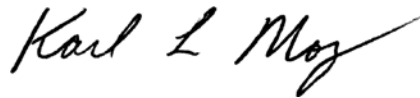
An Equal Opportunity Employer

New Orleans, LA 70122) prior to commencement of project activity to determine if a construction permit is required from the local levee district.

Should you desire additional consultation with our office prior to submitting a formal application, we recommend that you call and schedule a pre-application meeting with our Permit Section staff. Such a preliminary meeting may be helpful, especially if a permit application that is as complete as possible is presented for evaluation at the pre-application meeting.

If you have any questions, would like to request an application packet or would like to schedule a pre-application meeting, please contact Jessica Williamson at (225) 219-9530 or [jessica.williamson@la.gov](mailto:jessica.williamson@la.gov).

Sincerely,

A handwritten signature in black ink that reads "Karl L. Morgan". The signature is written in a cursive, flowing style.

Karl L. Morgan  
Administrator

**Karl L. Morgan/jw**

Attachments

**Final Plats:**

- 1) [P20130553](#)    [Final Plats](#)    [04/11/2013](#)

cc: Johan Forsman w/plats  
Orleans Levee District w/plats  
Jessica Diez, OCM w/plats  
Tim Killeen, CMD/FI w/plats  
Orleans Parish w/plats





BoBBY JINDAL  
GOVERNOR

State of Louisiana  
DEPARTMENT OF WILDLIFE AND ASHERIES  
OFFICE OF WILDLIFE

ROBERT J. BARHAM  
SECRETARY  
JIMMY L. ANTHONY  
ASSISTANT SECRETARY

*Date* April 12, 2013

*Name* Joseph Chauvin

*Company* FEMA

*Street Address* 1 Siene Ct, 4th Floor

*City, State, Zip* New Orleans, La 70114

*Project* AI #1909: Desire Stret Ministries  
New Community Wellness Center

*Project ID*

*Invoice Number* 13041213

Personnel of the Habitat Section of the Coastal & Nongame Resources Division have reviewed the preliminary data for the captioned project. After careful review of our database, no impacts to rare, threatened, or endangered species or critical habitats are anticipated for the proposed project. No state or federal parks, wildlife refuges, scenic streams, or wildlife management areas are known at the specified site within Louisiana's boundaries.

The Louisiana Natural Heritage Program (LNHP) has compiled data on rare, endangered, or otherwise significant plant and animal species, plant communities, and other natural features throughout the state of Louisiana. Heritage reports summarize the existing information known at the time of the request regarding the location in question. The quantity and quality of data collected by the LNHP are dependent on the research and observations of many individuals. In most cases, this information is not the result of comprehensive or site-specific field surveys; many natural areas in Louisiana have not been surveyed. This report does not address the occurrence of wetlands at the site in question. Heritage reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments. LNHP requires that this office be acknowledged in all reports as the source of all data provided here. If at any time Heritage tracked species are encountered within the project area, please contact the LNHP Data Manager at 225-765-2643. If you have any questions, or need additional information, please call 225-765-2357.

Sincerely,

Amity Bass, Coordinator  
Natural Heritage Program

# NRCS

Natural Resources Conservation Service  
3737 Government Street  
Alexandria, LA 71302

(318) 473-7751  
Fax: (318) 473-7626

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June 5, 2013

Shelly A. R. Chichester  
Environmental Protection  
Specialist  
FEMA Louisiana Recovery Office  
1 Seine Court  
New Orleans, Louisiana 70114

RE: Desire Street Ministries - SOV

Dear Ms. Chichester:

I have reviewed the above referenced project for potential requirements of the Farmland Protection Policy Act (FPPA) and potential impact to Natural Resource Conservation Service projects in the immediate vicinity.

Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a federal agency or with assistance from a federal agency. For the purpose of FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance. Farmland subject to FPPA requirements can be forest land, pastureland, cropland, or other land, but not water or urban built-up land.

The project map submitted with your request indicates that the proposed construction areas are within urban areas and therefore is exempt from the rules and regulations of the Farmland Protection Policy Act (FPPA):-Subtitle I of Title XV, Section 1539-1549.

For specific information about the soils found in the project area, please visit our Web Soil Survey at the following location:

<http://websoilsurvey.nrcs.usda.gov/>

Please direct all future correspondence to me at the address shown above.

Respectfully,



Sarah Haymaker  
State Conservationist

Attachments

# FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request 6/5113			
Name Of Project Desire Street Ministries Multi-Purpose Building		Federal Agency Involved FEMA			
Proposed Land Use Construct New Community Wellness Center		County And State Orleans Parish, Louisiana			
PART II (To be completed by NRCS)		Date Request Received By NRCS			
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply- do not complete additional parts of this form).		Yes	No	Acres Irrigated	Average Farm Size
		<input checked="" type="radio"/>	<input type="radio"/>		
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount Of Farmland As Defined in FPPA Acres: %			
Name Of Land Evaluation System Used	Name Of Local Site Assessment System	Date Land Evaluation Returned By NRCS 6/5113			
PART III (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site		0.0	0.0	0.0	0.0
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide And Local Important Farmland					
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland In Govt. Jurisdiction with Same Or Higher Relative Value					
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)		0	0	0	0
PART VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))		Maximum Points			
1. Area In Nonurban Use					
2. Perimeter In Nonurban Use					
3. Percent Of Site Being Farmed					
4. Protection Provided By State And Local Government					
5. Distance From Urban Builtup Area					
6. Distance To Urban Support Services					
7. Size Of Present Farm Unit Compared To Average					
8. Creation Of Nonfarmable Farmland					
9. Availability Of Farm Support Services					
10. On-Farm Investments					
11. Effects Of Conversion On Farm Support Services					
12. Compatibility With Existing Agricultural Use					
TOTAL SITE ASSESSMENT POINTS		160	0	0	0
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	0	0	0
Total Site Assessment (From Part VI above or a local site assessment)		160	0	0	0
TOTAL POINTS (Total of above 2 lines)		260	0	0	0
Site Selected:		Date Of Selection	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Reason For Selection:					



**DEPARTMENT OF THE ARMY**  
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 60267  
NEW ORLEANS, LOUISIANA 70160-0267

**MAY 06 2013**

REPLY TO  
ATTENTION OF

Operations Division  
Operations Manager,  
Completed Works

Mr. Joseph Chauvin  
FEMA DR 1603/1607 LA  
1 Seine Court  
4th Floor  
New Orleans, Louisiana 70114

Dear Mr. Chauvin:

This is in response to the Solicitation of Views request dated April 10, 2013, concerning the new community wellness center, at New Orleans, Louisiana, in Orleans Parish.

We have reviewed your request for potential Department of the Army regulatory requirements and impacts on any Department of the Army projects.

We do not anticipate any adverse impacts to any Corps of Engineers projects.

Based on review of recent maps, aerial photography, and soils data, we have determined that the specific site in your request is not in a wetland subject to Corps' of Engineers jurisdiction. A Department of the Army permit under Section 404 of the Clean Water Act will not be required for the deposition or redistribution of dredged or fill material on this site.

Please be advised that this property is in the Louisiana Coastal Zone. For additional information regarding coastal use permit requirements, contact Ms. Christine Charrier, Coastal Management Division, Louisiana Department of Natural Resources at (225) 342 7953.

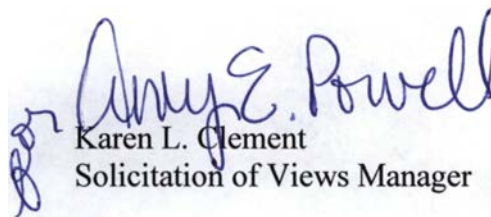
You are advised that this preliminary jurisdictional determination is valid for a period of 5 years from the date of this letter unless new information warrants revision prior to the expiration date or the District Commander has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re verification on a more frequent basis.

Off site locations of activities such as borrow, disposals, haul and detour roads and work mobilization site developments may be subject to Department of the Army regulatory requirements and may have an impact on a Department of the Army project.

Please contact Mr. Robert Heffner, of our Regulatory Branch by telephone at (504) 862-1288, or by e-mail at Robert.A.Heffner@usace.army.mil for questions concerning wetlands determinations or need for on-site evaluations. Questions concerning regulatory permit requirements may be addressed to Mr. Michael Farabee by telephone at (504) 862-2292 or by email at Michael.V.Farabee@usace.army.mil.

Future correspondence concerning this matter should reference our account number MVN-2013-00990-SK. This will allow us to more easily locate records of previous correspondence, and thus provide a quicker response.

Sincerely,



Amy E. Powell  
Karen L. Clement  
Solicitation of Views Manager

Copy Furnished:

Ms. Christine Charrier Coastal  
Zone Management Department of  
Natural Resources Post Office  
Box 44487  
Baton Rouge, Louisiana 70804-4487



Trahan, Amy <amy\_trahan@fws.gov>

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## AI#1909: Desire Street Ministries, New Community Wellness Center

1 message

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Chauvin, Joseph <Joseph.Chau.,n@fema.dhs.gov>

Wed, Apr 10, 2013 at 2:34PM

To: "Amy\_Trahan@fiNs.gov" <Amy\_Trahan@fiNs.gov>

Cc: "Mannie, Ke.,n" <Ke.,n.Mannie@fema.dhs.gov>, "Spann, Tiffany" <Tiffany.Spann@fema.dhs.gov>

U.S.  
Department of  
Homeland  
Security

Federal  
Emergency  
Management  
Agency

FEMA-DR 1603/1607 LA

1 Seine  
Ct, 4th Floor

New  
Orleans, LA  
70114

**.FEMA**

April 13, 2013

Ms. Amy Trahan

U.S. Fish and Wildlife Service

646 Cajundome Bld., Ste. 400

Lafayette, LA 70506

Subject: Desire Street Ministries

3600 Desire Parkway, New Orleans, LA

Construction of a New Community Wellness Center

Project #AI1909 FEMA-1607-DR-LA

Dear Ms. Trahan:

FEMA is considering providing Public Assistance Program funding for the attached project in relation to Hurricane Rita (FEMA-1607-DR-LA). This letter requests consultation with your office regarding impacts this project may have on all federal trust resources. Since this proposed project entails building construction within a previously disturbed urban area, we respectfully request your concurrence with our No Effect determination. We would appreciate your comments on this project within thirty days. If we do not receive comments from you within this time period, we will assume that you have no concerns or issues with the proposed project. If appropriate, FEMA will condition funding approval or funding continuance based on the applicant's obtaining applicable permits from your office. Attached is a detailed project description, along with other relevant project information.

If you would like to mail in your response please include Joseph Chauvin-Environmental Department 4th floor in the address or you may fax to our office at (504) 762-2353. Please contact Joseph Chauvin, Environmental Specialist, at (504) 762-2291, with any questions.

Sincerely

Tiffany Spann-Winfield,

Deputy Environmental Liaison Officer, FEMA LRO

FEMA 1603/1607-DR-LA

This project has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act). The project, as proposed, (-) Will have no effect on those resources ( ) Is not likely to adversely affect those resources.

This finding fulfills the requirement under Section 7(a)(2) of the Act.

*Derek Fuller* April 23, 2013

Acting Supervisor  
Louisiana Field Office  
U.S. Fish and Wildlife Service

Date

Attachments: Damage Description/ Scope of Work

Project Vicinity Map

Proposed Project Area

**Appendix B**  
**Other Environmental Assessments/Documents**





# State of Louisiana

## Department of Environmental Quality



Edwin W. Edwards  
Governor

March 25, 1994

William A. Kucharski  
Secretary

Mr. Stephen K. Whitty, Jr.  
c/o P.O. Box 5563  
Slidell, LA 70469-5563

RE: Termination of Remediation  
S.K. Whitty & Company, Inc.  
3600 Desire Street  
New Orleans, LA 70126  
(Orleans Parish)  
FID # 36-007975  
Incident # UE-93-1-0094

Dear Mr. Whitty:

It has recently come to our attention that while closure of this site was granted on August 9, 1993, the status of remedial actions at this facility was never addressed. Based on previously submitted data no further action is required at this facility, and termination of remediation is hereby granted. The Incident Number assigned to this release is considered closed, and our records will be modified accordingly.

Sincerely,

*;;:f{..//C:*

Harold F. Ethridge, Jr.  
Administrator

HFE/tbb

c: Southeast Regional Office  
Patsy Deaville, Technical Services Coordinator  
George Gullett, Motor Fuels Trust Fund Program Manager





State of Louisiana  
Department of Environmental Quality



Edwin W. Edwards  
Governor

Kai David Midboe  
Secretary

April 20, 1993

Mr. Barry J. Thibodeaux  
Manager  
Rubark Environmental Services, Inc.  
2801 Frenchman Street  
New Orleans, Louisiana 70122

RE: S. K. Whitty, Inc.  
3600 Desire Street  
New Orleans, Louisiana 70186  
(Orleans Parish)  
FID #36-007975  
Incident #UE-1-93-0094

Dear Mr. Thibodeaux:

We acknowledge receipt of your April 6, 1993 Initial Remedial Action Plan for the above referenced site. Said plan is here-by approved provided all excavated soil is properly stored on visqueen and covered by visqueen against rainfall. Field screening by odor identification is not recommended. An organic vapor analyzer is more appropriate.

Please keep our Southeast Regional Office advised on all activities. Mr. Raul M. Busquet may be contacted at (504) 838-5361.

Your assistance in this matter is appreciated.

Sincerely,

*f ;\_D.g ;/.6*

Dennis D. Strickland Enforcement  
Program Manager Underground  
Storage Tank Division

DDS/RMB/stj

cc: Southeast Regional Office

Mr. Stephen K. Whitty, Jr.

Ms. Patsy Deaville, LDEQ Technical services

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MEETING IN H. Q.

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S. K. WHITTY Lind CO., InC.  
PILE DRIVING CONTRACTORS

STEPHEN K. WHITTY, JR.

3000 DESIRE STREET  
P.O. BOX 26186  
NEW ORLEANS, LA. 70186  
943-6604

For SW. I. G. IN. H. 'TT 'I t Cl. o, inc.

THE  
**HITTY**  
COMPANY

Stephen K. WhiHy, Jr.

N.O. Phone: 504/523-1229  
Slidell Phone: 504/643-3885  
Fax: 5041643-3978  
Mobile Phone: 504/583-7547

P.O. Box 5563  
Slidell, LA 70469-5563  
150 Industrial Drive  
Slidell. LA 70460

**RUBARK ENVIRONMENTAL  
SERVICES, INC.**

2801 Fnnchmon St.  
Now Orloano, LA 70122

(504) 944-9965  
FAX:(504) 944-7142

**RECEIVED**

APR 12 1993

April 6, 1993 UNDEKuru.. u,u ::, Lh-<AG•  
TANK DIVISION ..

Louisiana Department of Environmental Quality  
Office Of Solid and Hazardous Waste  
Underground Storage Tank Division  
P.O. Box 82178  
Baton Rouge, LA 70884-2178

Attn: Dennis Strickland  
Enforcement Program Manager  
UST Division

Re: Initial Remedial Action Workplan  
S.K. Whitty, Inc.  
FAC J.D. # 36-007975

Gentlemen:

As discussed, the purpose of this letter report is to outline the Initial Remedial Action (IRA) activities planned for the above referenced site.

**PROJECT BACKGROUND**

Evidence of soil contamination was detected during the removal of one, 2,000-gallon diesel UST, one 1,000-gallon diesel UST and two 1,000-gallon gasoline USTs by Rubark Environmental Services, Inc. Petroleum odors were detected in tank backfill soils. Neither groundwater or free-phase product were detected during removal operations.

Subsequent analytical results confirmed observed field conditions. Total BTEX results ranged from 0.09 ppm to 1.64 ppm. TPH as diesel results ranged from 210 to 2,600 ppm. TPH as gasoline results ranged from 5.8 ppm to 1,500 ppm around the two gasoline USTs. Based upon the analytical results, the affected soils appear to be primarily around all USTs.

**PLANNED IRA ACTIVITIES**

The planned IRA activities (overexcavation of affected soils) are dependent on the assumption that affected soils are localized. The excavation sidewalls consist of native clays which should have slowed contaminant migration. Furthermore, no conduits for contaminant migration were detected during UST removal.

Before beginning IRA activities, possibly contaminated water will be removed from the excavation. The water will be removed by vacuum truck and transported to Maritime Oil Recovery's Belle Chasse facility. The water contained in the excavation is a combination of rainwater and possible groundwater seepage.

Additional concrete break-out will also be required before beginning overexcavation. About 4 feet of concrete will be removed from the north, south and east walls. Overexcavation will begin after concrete removal. The base of the excavation, in the area of tanks #1, #2, #3, and #4 will be excavated an additional 1 to 2 feet, or until odors in soils are undetected. The north, south and sidewalls will be overexcavated about 2 feet, or until odors in soils are undetected. The attached site map shows the planned excavation area.

The tank backfill material combined with the planned overexcavated material will amount to 125 to 175 cubic yards (loose volume). After characterization testing is complete, the material will be transported to Waste Management's Woodside Landfill in Walker, Louisiana.

#### VKRIPICATIOH SAMPLING

After field observations indicate that affected soils have been removed, soil samples will be collected along the base of the excavation and sidewalls. Four samples will be collected along the bottom, and one sample will be collected along each sidewall at about 4 feet below grade. All soil samples will be analyzed for BTEX, TPH as gasoline, and TPH as diesel.

Should analytical results remain above 100 ppm for any of the parameters, the Louisiana Department of Environmental Quality will be notified and additional excavation and sampling may be necessary.

#### COHCLUSIONS

Rubark will proceed with the above plan after verbal approval of the plan by LADEQ's UST division. Please do not hesitate to call with any questions concerning the plan.

Sincerely,



Barry J. Thibodeaux  
Manager

BJT/mz

cc: Raul Busquet  
Environmental Quality Coordinator  
Underground Storage Tanks  
Southeast Regional Office  
3945 N. 1-10 Service Road West  
Metairie, LA 70002

cc: Mr. Steve Whitty  
S.K. Whitty, Inc.



\*\*\*\*SUMMARY REPORT\*\*\*\*

LAFAYETTE AREA LAB  
100 AMBASSADOR CAFFERY PKWY.  
SCOTT, LOUISIANA  
ZIP 70883-8544  
PHONE: 13181 237-4715

04/02/93

company: RUBARK ENVIRONMENTAL SERVICES  
site: NEW ORLEANS, LA  
Project No:  
Project: S.K.WHITTY 3600 DESIRE PKWY.

ADLYTJ:CAL DATA  
II'0'l'BI II'D - Not Detected

SPL ID	CLIENT ID	MATRIX	BENZENE	TOLUENE	ETHYLENEDI	XYLENE	TPH-IR	TPH-GC	LEAD	MTBE
I 9304005-01	I T-1A	I SOIL	I 210Q/Kg	I 25DI<II/Kg	I 320Q/Kg	I 86Di<IIIK8		I 67DIIIatK&	I I	
9304005-02	I T-1B	I SOIL	I 91.,11/Kg	I 58jiiiJKg	I 1ZDJ<g/Kg	I 16D!&atK&		I Z30Dnv1Ka	I	
I 9304005-03	I T-2A	I SOIL	I 31.,a1Ka	I 161'8/Ka	I 29.,11/Ka	I 941'8/Kg		I 19011111/ta	I	
I 9304005-04	I T-2B	I SOIL	I Z3DJ<a1Ka	I 1401'11/Kg	I 1801'11/Ka	I 44DJ<IIIKB		I 1so av ta	I	
I 9304005-05	I T-3A	I SOIL	I ao.,a/K&	I 38jla1Ka	I 90.,11/Ka	I 13DJ<II/K8		I 1DDDnvtta	I	
I 9304005-06	I T-3B	I SOIL.	I 130.,11/Kg	I 271'11/Ka	I 49.,11/Ka	I Z30i<II/KB		I 530mgta		
I 9304005-07	I T-4A	I SOIL	I 9ZIIa!Ka	I 1DJ<IIIK8	I 2411BtK&	1661'81'&		I 42qtta		
I 9304005-08	I T-4B	I SOIL	I 121'11/Ka	I 131'9/KB	I Z51'11/Kg	I 351'8/Ka		I 5.8a8/ka		

BTEX Method 5030/8020 \*\*\*  
TPH-GC - Method Mod. Ca DHS

\*\*\*\*SUMMARY REPORT\*\*\*\*

04/06/93

ClompaDyt RUBARK ENVIRONMENTAL SERVICES  
 alta: NEW ORLEANS, LA  
 Project: S.X. WHITTY/3600 BSIRE PKWY.

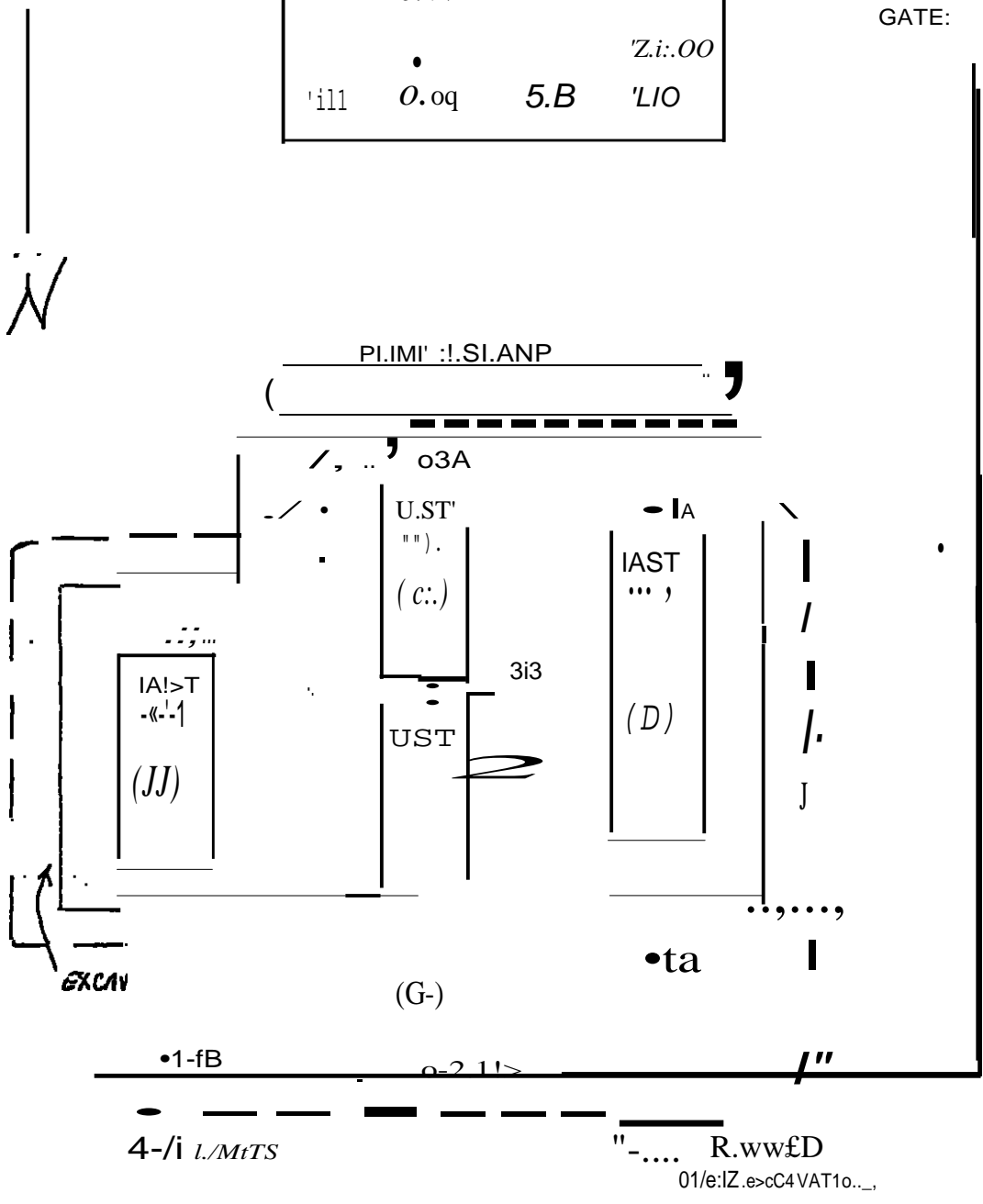
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IPL ID	CLIENT ID	MATRIX	BENZENE	TOLUENE	ETHYLENE	XYLENE	TPH	TPK-GC	LEAD	MTB
P104056.01	T.4A	SOIL						Z60jlmefra		
P104056.02	T.48	SOIL						21 KI		

TPH-GC - Method Mod, Ca DHS

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HIGGINS ST.



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# S. K. WHITTY & CO., Inc.

(504) 643-3885  
523-1229  
(504) 643-3979 Fax

3188 BIE&IRii &'R&Ei:r:

c/q., O. BOX — 5563

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Slidell, LA. 70469-5563

June 17, 1993

REC

JUN 23 1393

Mr. Dennis P. Strickland  
Enforcement Program Manager  
Louisiana Department Environmental Quality  
Underground Storage Tank Division - 5th Floor  
P. O. Box 82178  
Baton Rouge, LA. 70884-2178

UNDEKth.J".J.>:... ;;: v. i,GE  
TANK DIViSiON

Re: Removal of Underground Storage  
Tanks for s. K. Whitty &  
Co., Inc. New Orleans, LA.  
Facility

Dear Mr. strickland:

Attached is the information as required by LDEQ UST Division relative to removal of UST's #1, 2, 3 and 4. Tanks #1 and #4 were 2,000 and 1,000 gallon tanks used for diesel storage while tanks #2 and #3 were 1,000 gallon tanks used for gasoline storage. The original soil samples from the excavated tank pad area were analyzed for BTEX limits, TPH-G, respectively. Original results indicated unacceptability of affected soils. The excavation sidewall consisted of native clays which enhanced the likelihood that contamination was localized.

The following information is transmitted as requested by LDEQ - UST Division:

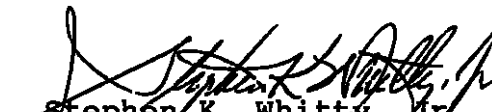
- 1.) The amended registration to LDEQ- UST Division noting removal of UST's #1, 2, 3 and 4 at S. K. Whitty and Company, Inc.'s New Orleans, Louisiana facility.
- 2.) A completed Underground Storage Tank Removal Information form.
- 3.) Drawing showing position of tanks and sample locations.
- 4.) Laboratory results and chain of custody form noting results for all samples.
- 5.) Disposal certification for removed tank carcasses and routing of scrap salvage.
- 6.) Documentation of disposal of tank contents and contaminated groundwater.

Mr. Dennis P. Strickland  
Re: UST - S. K. Whitty & Co., Inc.  
June 17, 1993  
Page Two

The information on tank locations, sample locations, and analytical results were reviewed with Mr. Raul Busquet, who gave verbal approval to close the excavated area.

Should you have any questions or need additional information please contact us at the above telephone number.

Very truly yours,

  
Stephen K. Whitty, Jr.,  
Liquidator

SKWJr/mgr  
Encl.

cc: Mr. Raul Busquet, w/Encl.  
LA. Department of Environmental Quality - UST Div.  
Southeast Regional Office  
3945 N. I-10 Service Road West  
Metairie, LA. 70001

Mr. Barry Thibodeaux, w/Encl.  
Rubark Environmental Services, Inc.  
2801 Frenchmen Street  
New Orleans, LA. 70122



# STREET MINISTRIES

## PHASE I ENVIRONMENTAL SITE ASSESSMENT

Desire Street Ministries  
New Orleans Louisiana-Educational Facility  
3600 Desire St.  
New Orleans, Louisiana

*Prepared For:*

Courtney Ordone  
Project Manager  
Sulzer Group  
650 Poydras Street, Suite 2828  
New Orleans, Louisiana

*d By:*  
*Prepare*

70130

*Consultant:*

Terry Elnaggar, PE Three  
Fold Consultants, LLC  
1515 Poydras Street, Suite 1875  
New Orleans, LA 70112  
(504) 799-3653



Desire Street Ministries  
New Orleans Louisiana-Educational Facility  
3600 Desire St.  
New Orleans, Louisiana  
Orleans Parish

Developed By: Shannon A. Oldfield

Date: 3/7/11

Shannon A. Oldfield  
Project Manager

Reviewed by: Tarek Elnaggar

Date: 3/7/11

Tarek Elnaggar, P.E.  
Principal

Resumes for the Environmental Professionals are provided in Appendix G

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# SECTION 1

## PROJECT SUMMARY

---

### 1.1 Project Description

Three Fold Consultants, LLC (TFC) was retained by the Sulzer Group, to perform a Phase I Environmental Site Assessment (ESA) of the Desire Ministries Community Center and Gymnasium (Property). The property is located at 3600 Desire Street in New Orleans, Louisiana, see Figure 1. Desire Street Ministries is planning to demolish the existing structures. The property as shown in Figure 2 is bounded by a rock crushing plant to the east, and the unused Louisiana Technical College to the west, an empty warehouse and a residential area to the south. The structures that reside on the subject property are a community center and a gymnasium. The property is covered by a slab foundation and paved parking lot. The site is comprised of a 0.75 acre parcel and is zoned for commercial use.

### 1.2 Project Objective/Scope & Business Environmental Risk

The objective of this project is to conduct an Environmental Site Assessment (ESA) of the property in accordance with the "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process", ASTM Standard E1527-05 (2005), in part to establish the CERCLA "Innocent Land Owner Defense" and whether any potential Recognized Environmental Conditions which can cause a "Business Environmental Risk" (BER) (as defined in ASTM Standard E1527-05) that could adversely impact the property. Use of ASTM Standard E1527-05 intends to constitute "All Appropriate Inquiries" for establishing Land Owner Liability Protection under the Brownfield Amendments.

A BER is defined as, "A risk which can have a material environmental or environmentally driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated in this practice. Consideration of Business Environmental Risk may involve addressing one or more non-scope considerations, some of which are identified in Section 5.0.

### 1.3 Summary of Findings

TFC conducted a site inspection on March 1, 2011 using the ASTM Standard Practice E1527-05 for conducting a Phase I Environmental Site Assessment. Currently, the property is in use. The property contains a paved parking lot and a 32,610 square foot building structure. The building is used for afterschool programs, youth sporting events, and religious activities. The building was constructed in 2000. In three of the storage room suspect material was noted as seen in the site photos located in Appendix A. Due to the age of the building it is highly unlikely this material is Asbestos Containing Material (ACM). However, testing conducted by a licensed asbestos inspector was beyond the scope of work for this project. No other areas of possible contamination were observed.

The Environmental Database report indicated that there are no and have not been any aboveground storage tanks present at the Property. However, an underground storage tank (UST) for diesel was located at the facility and has been removed from the subject property prior to 1975. No releases were detected prior to/or during removal.

Several other UST's have been removed from the surrounding properties. No releases were reported.

There were no other recognized potential environmental hazards found on the Property. There were no visible signs of stressed vegetation or oil stained areas. After reviewing aerial photos from 1964 to 2006, there was no evidence of commercial activities that would have led to environmental impacts.

*Based upon the above findings, TFC present the following recommendations:*

There are no signs or indications of a Recognized Environmental Condition on the Property. TFC does not see the need for further environmental evaluations or soil sampling (Phase II).

#### 1.4 Limitations

This document in no manner represents a legal opinion or analysis. TFC does not have a license to practice law; TFC acts solely in the capacity of a professional environmental consulting company.

TFC only offers an opinion of the possible subsurface and environmental conditions. It is impossible to know for an absolute fact that a site is free of hazardous substances or adverse environmental conditions. When dealing with natural conditions, especially natural conditions hidden from view, even the most accomplished consultant can only deal in probabilities and opinions due to the basic limits of scientific investigation and exploration.

In conducting this ESA, TFC used various methods of investigation standard in the industry at the time work was performed, in accordance with the ASTM Standard E1527-05. Pertinent information, **if** any, received by TFC after issuance of the final report will be address in the **form** of an addendum.

# SECTION 2

## PROPERTY DESCRIPTION

---

In order to establish the regional physiography and subsurface conditions, TFC reviewed available regional geologic and hydrogeologic documents. Through the review of these documents a general understanding of the subsurface conditions was developed. A Site Map is provided in Figure .

### 2.1 Regional Land Use

The Property is located on 3600 Desire Street Parkway in New Orleans, Louisiana. The site is approximately a 0.75 acre tract consisting of a building structure and a paved parking lot and vegetation. The storm water runoff is managed by the Parish.

### 2.2 Regional Physiography

The Property is located in Orleans Parish which is located within the Gulf Coastal Plain Physiographic Province, which consists of a series of gently dipping coastal and near-shore deposits. In southeast Louisiana, the surficial deposits south of Baton Rouge are of Quaternary age, underlain by Pleistocene deposits at varying depths. The topography of this entire area is characterized by low relief, with elevations near sea level except along the natural levee ridges.

### 2.3 Subsurface Conditions

#### 2.3.1 Regional Geology

The Quaternary sediments in the Orleans Parish were deposited in a series of sea-level fluctuations and shifts in the Mississippi River depositional axis. This has resulted in an alternation of marine, near-shore and non-marine sediments both laterally and vertically. These surficial deposits extend to a depth of approximately 150 feet below MSL. Beneath them is an alternating series of sands and clays.

#### 2.3.2 Regional Hydrology

Regional maps indicate that marsh and natural levee deposits underlie the site. Isolated beach, point bar, and distributary channel sands within these deposits may provide groundwater of varying quality, but it is seldom used. The expected depth to water is within five to ten feet of the surface, with varying flow directions depending on the stage of the Mississippi River. A more reliable and utilized source of groundwater is from aquifers below 200 feet in depth. Groundwater flow in these deep aquifers is heavily influenced by industrial and municipal pumping.

#### 2.4 Regional Soils

Based previous investigations at the Desire Street Ministries property, site soils consist of fine grained low permeable fat clay.

#### 2.5 Regional and Local Surface Water

The area surrounding the property is near sea level and about 2.5 miles North of the Mississippi River. The surface water of the property feeds into drains along the eastern border of the property. The surface water in the region is controlled with pumps that are maintained by Orleans Parish to prevent flooding.

#### 2.6 Regional Climate

The climate of Orleans Parish is considered to be tropical. Winters are generally mild with low temperatures in the 40s. Summers are hot and humid, with high temperatures in the 90s and common thunderstorms. Precipitation averages approximately 57 inches per year, with most rainfall occurring from December through March. The driest months are October and May. Prevailing winds are generally from the west.

#### 2.7 Summary of Setting/Conditions

The property is located in the Gulf Coastal Plain Physiographic Province. The expected depth to water is within five feet of the surface, with varying flow directions depending on the stage of the Canal. Surface water drains from the property to the Canal.

#### 2.8 Facility Operations, Activity and Use Limitations

The property is approximately a 0.75 acres in total area. The facility is currently in use by Desire Street Ministries. The facility is used for after school programs, youth sporting events, and religious services.

There are no records to indicate that Desire Street Ministries or any other entity used the property for storage of hazardous chemicals or any activity that be would be considered an environmental hazard. There are neither "Engineering Controls" (e.g., capping, slurry walls, etc.) nor "Industrial Controls" e.g. (deed restrictions, restrictive zoning) on the use of, or access to the facility to reduce or eliminate potential exposure to hazardous substances in the soil or ground water on the property.

# SECTION 3

## HISTORICAL RECORDS REVIEW

---

TFC conducted a search and review of historical maps for the property located at 3600 Desire Street, New Orleans LA. In addition, interviews were conducted with individuals who worked at and near the Facility.

### 3.1 Historical Map Review

A review of available public and private historical records were reviewed for the site. The review included the following:

- Topographic map collections dated 1891, 1932, 1939, 1949, 1951, 1954, 1966, 1979, 1989, 1992, and 1998.
- Historical Aerial Photos were referenced and reviewed on the following time period: 1952, 1964, 1975, 1979, 1982, 1989, 1994, 1998, 2004, 2005, and 2006.
- City Directory Abstract

A Sanborn Map Report was also ordered for the site and is located in Appendix C. Copies of the Topographic maps are provided in Appendix D and the Aerial Maps are included in Appendix E. A review of the maps is as follows:

#### 1891 USGS Quadrangle Map

The Mississippi River with no improvements in the area of the site.

#### 1932 USGS Quadrangle Map

The Inner Harbor Navigation Canal is present. New Orleans Great Northern Railroad constructed West of current facility. Florida Avenue is Present and the Florida Avenue Pumping Station is developed. The property area is undeveloped.

#### 1939 USGS Quadrangle Map

Essentially no changes from the 1932 quadrangle map with the exception of the railroad referred to as GulfMobile and Northern Railroad.

#### 1949 USGS Quadrangle Map

Essentially no changes from the 1939 map. The Property is still undeveloped.

#### 1951 USGS Quadrangle Map

The Property is still undeveloped. Additional railroad tracks present. The Inter costal waterway can be seen on this map but is not named.

1952 Historical Aerial Map  
Target area still undeveloped

1954 USGS Quadrangle Map  
The Property is still undeveloped. Additional railroad tracks present. The Inter costal waterway can be seen on this map.

1964 Historical Aerial Map  
Expansion to surrounding areas however target area remains undeveloped.

1966 USGS Quadrangle Map  
Developments surrounding the target area are evident and a turning basin has been constructed in the navigation canal.

1975 Historical Aerial Map  
Expansion to surrounding areas, area has been developed

1979 USGS Quadrangle Map  
Developments surrounding the target area are evident. Essentially no changes to the target area from the 1966 map.

1979 Historical Aerial Map  
Essentially no changes to the target area from the 1975 map.

1982 Historical Aerial Map  
Expansion to surrounding areas however essentially no changes to the target area **from** the 1989 map.

1989 USGS Quadrangle Map  
Developments within the target area are evident.

1989 Historical Aerial Map  
Target area appears to have been cleared and not re-developed.

1992 USGS Quadrangle Map  
Developments within the target area are evident. Essentially no changes to the target area from the 1989 map.

1994 Historical Aerial Map  
Target area appears to have been cleared and not re-developed.

1998 USGS Quadrangle Map  
Developments within the target area are evident. Essentially no changes to the target area from the 1989 map.

#### 1998 Historical Aerial Map

Target area appears to have been cleared and not re-developed.

#### 2004 Historical Aerial Map

Target area is beginning to be redeveloped.

#### 2005 Historical Aerial Map

Target area has been re-developed.

#### 2006 Historical Aerial Map

.Target area has been re-developed essentially no changes to the target area from the 2005 Map.

#### City Directory

A City Directory review was conducted for the property address, see Appendix F. The first listing noted was in 1949 by Mrs. Jean Tassin. In 1990 Whitty S K & Co Inc. pile driving contractor was listed. The target property was listed as vacant in 1994. The property was then operated by B Jacon Caloya in 2003.

Based on the historical review, the target property has historically been used as a pile driving contractor and a community center with a gymnasium. The historical aerial maps yielded no evidence to indicate that the Property served any other purpose.

Currently, there are recreational and religious activities at the site. There was no additional information to support the potential of any environmental hazard or concerns. During the site reconnaissance, no evidence was present that indicated any operations that warrant concern.

### 3.2 Interviews

An interview was conducted with Mr. Irvin Bell the property manager for the site for the last 5 years. Mr. Bell confirmed that the Property is used as a community center and gymnasium for Desire Street Ministries. The Property was never utilized to generate or store hazardous waste products and material. He did not recall any underground or aboveground storage tanks place on the site. Mr. Bell stated that during his tenure there were no environmental impacts to the Property that would require further evaluation.

Mr. Ben Mc Leish served as the Assistant Director over the facility between 2002 and 2008 and was responsible for activities at the facility, also confirmed that no Waste sources were ever present at facility during his tenure at the site.

Mr. Glen Hayes, of C.D.W. services has operated a mill shop adjacent to the facility. During his 20-year residence he mentioned that they do not have any hazardous materials at their facility or

nor do they conduct other activities that could impact the target property.

No other significant environmental concerns were identified by individuals contacted and interviewed. No representative of the property reported any environmental lien or encumbrance upon the property, or any unresolved notice of violation pertaining to an environmental matter.



# SECTION 4

## REGULATORY AGENCY RECORDS SEARCH

---

TFC conducted a records search and review of the property. This search included Federal and State databases; and potential Federal, State and local regulatory agency correspondence..

### 4.1 Regulatory Agency Database Review

TFC reviewed the Environmental Data Resources (EDR) database search that provided a listing of facilities with reported environmental actions and operations that have potential for environmental risk within a one-mile radius of the property.. This database was utilized by TFC to provide information that may be used to indicate necessary follow-up with the regulatory agencies. It is provided in Appendix B.

The regulatory agency database search included the following environmental listings:

#### Federal Records

- National Priority List (NPL)
- Proposed National Priority List Sites (Proposed NPL)
- National Priority List Deletions (Delisted NPL)
- Federal Superfund Liens (NPL LIENS)
- Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)
- CERCUS No Further Remedial Action Planned (CERC-NFRAP)
- CERCLA Lien Information (LIENS 2)
- Corrective Action Replm1(CORRACTS)
- RCRA-Transmitters, Storage and Disposal (RCRA-TSDF)
- RCRA-Small Quantity Generators (RCRA-SQG)
- RCRA-Conditionally Exempt Small Quantity Generators (RCRA-CESQG)
- RCRA-Non Generators (RCRA-NonGen)
- Engineering Controls Sites List (US ENG CONTROLS)
- Sites with Institutional Controls (US INST CONTROL)
- Emergency Response Notification System (ERNS)
- Hazardous Materials Information Reporting System (HMIRS)
- Incident and Accident Data (DOT OPS)
- Clandestine Drug Labs (US CDL)
- A Listing of Brownfields Sites (US BROWNFIELDS)
- Department of Defense Sites (DOD)
- Formerly Used Defense Sites (FUDS)
- Land Use Control Information Systems (LUCIS)

- Superfund (CERCLA) Consent Decrees (CONSENT)
- Records of Decision (ROD)
- Uranium Mill Tailings Sites (UMTRA)
- Torres Martinez Reservation Illegal Dump Site Locations (DEBRIS REGION 9)
- Open Dump Inventory (ODI)
- Mines Master Index File (MINES)
- Toxic Chemical Release Inventory System (TRIS)
- Toxic Substances Control Act (TSCA)
- FIFRA/TSCA Tracking System – FIFRA (Federal Insecticide, Fungicide, & Rodenticide ACT)/TSCA (Toxic Substances Control Act) (FTTS)
- FIFRA/TSCA Tracking System Administrative Case Listing (HIST FTTS)
- Section 7 Tracking Systems (SSTS)
- Integrated Compliance Information System (ICIS)
- PCB Activity Database System (PADS)
- Material Licensing Tracking System (MLTS)
- Radiation Information Database (RADINFO)
- Facility Index System/Facility Registry System (FINDS)
- RCRA Administrative Action Tracking System (RAATS)

#### State and Local Records

- Hazardous Waste Potential and Confirmed Sites List (SHWS)
- Landfill List (SWF/LF)
- LDEQ Approved Debris Sites (DEBRIS)
- Recycling Directory (SWRCY)
- Leaking Underground Storage Tanks (LUST)
- Underground Storage Tank Case History Incidents (HIST LUST)
- Louisiana Underground Storage Tank Database (UST)
- Environmental Liens (LIENS)
- Emergency Response Section Incidents (SPILLS)
- Conveyance Notice Listing (AUL)
- Voluntary Remediation Program Sites (VCP)
- Drycleaner Facility Listing (DRYCLEANERS)
- LPDES Permits Database (NPDES)

#### Tribal Records

- Indian Reservations (INDIAN RESERV)
- Report on the Status of Open Dumps on Indian Lands (INDIAN ODI)
- Leaking Underground Storage Tanks on Indian Land (INDIAN LUST)
- Underground Storage Tanks on Indian Land (INDIAN UST)

#### EDR Proprietary Records

- EDR Proprietary Manufactured Gas Plants (Manufactured Gas Plants)
- EDR Proprietary Historic Gas Station (EDR Proprietary Historic Gas Stations)
- EDR Proprietary Historic Dry Cleaners (EDR Historical Cleaners)

The EDR revealed that there are several properties within a half mile radius are conditionally exempt small quantity generators. No violations at these facilities have been detected.

Agricultural Street Landfill is a superfund site approximately 2200 feet away from the site. The EPA has been monitoring and remediating this site since 1994. There is no reason to believe that the any activities at the landfill site will have an impact on the target property.

The Regional Transit Authority is located approximately 1100 feet from the target property. This facility has several double walled USRs on the property. No violations or releases have been reported and the facility does not appear to impact the target property.

All releases reported from the surrounding properties were over a 1000 feet away from the facility. All of the releases were remediated and do not appear to impact the target property.

An Overview Map, Detailed Map, a Physical Setting Map and a graphical presentation of the database findings are included within the complete environmental database in Appendix B.

#### 4.2 Regulatory Agency and Additional Inquiries

There was no data revealed that would warrant further inquiries to the Louisiana Department of Environmental Quality (LDEQ).

#### 4.3 Public Utility Company Inquiries

There was no data revealed that would warrant further inquiries to the public utility companies.

# SECTIONS

## ON-SITE ENVIRONMENTAL ASSESSMENT

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On March 1, 2011, a TFC Environmental Professional visited the site and surrounding area. It was confirmed that the Property has 1 building structure and a paved parking area. The objective of this visit was to visually inspect the property for evidence of potential environmental liabilities and the presence or records of hazardous or regulated substances or any other type of activities. TFC personnel accomplished these objectives through a site inspection (visual observation), and subsequent photographic documentation. The results of the site inspection are presented in the following subsections. They are supplemented by information obtained during the interviews and by a list of additional issues for several non-scope considerations that a person may want to assess in connection with commercial real estate.

### 5.1 Aboveground and Underground Storage Tanks

There are no records that indicated the presence of aboveground or underground storage tanks. During the on-site environmental assessment, there were no aboveground or underground storage tanks encountered.

### 5.2 Lead-Based Paint, Other Metals

There are no records that indicated any use of paint or other metals. There was no record of violation on file with any of the regulating environmental agencies that would depict the use of these materials.

### 5.3 Asbestos

In three of the storage rooms suspect material was noted as seen in the site photos located in Appendix A. Due to the age of the building it is highly unlikely this material is Asbestos Containing Material (ACM). However, testing conducted by a licensed asbestos inspector was beyond the scope of work for this project. There are no records that indicate the presence of asbestos containing materials (ACM).

### 5.4 Hazardous Materials

There was no evidence of hazardous materials at the site.

### 5.5 Solid (Non-Hazardous) Waste

There was no man made municipal waste (garbage, sewer) at the site.

## 5.6 Hazardous Waste

No Hazardous Waste is being stored or handled on site.

## 5.7 PCB-Containing Equipment

No PCB-containing equipment is present on site.

## 5.8 Stormwater

Stormwater from the property drains naturally to the drainage system and is mostly collected and pumped by the Parish to prevent flooding.

## 5.9 Wetlands

The target site is approximately a two and a half miles north of the Mississippi River. The property consisted of a slab foundation, paved parking area, and cleared yard area. No standing water or natural areas are on the property and therefore a wetland determination is not warranted.

## 5.10 Radon

A review of the Louisiana Department of Environmental Quality's Map of Radon Zones for Louisiana indicates that the average activity for Orleans Parish is 0.27255 pCi/l. The current USEPA action guideline for radon is 4.0 pCi/l. Due to low threat, no further investigation is recommended at this time.

## 5.11 Air Emissions

No combustion or other equipment that would produce air emissions was observed on the property during the site inspection.

## 5.13 Occupational Safety & Health

No Occupational Safety and Health issues were noted during the site visit.

## 5.14 Emergency Incidents and Regulatory Compliance

Records did not indicate that any emergency incidents have occurred at the Property.

## 5.15 Lead In Drinking Water

Drinking water is supplied by public utility at site.

5.16 Cultural & Historical Resources

TFC did not find any cultural or historical resources (reservations, etc.) pertaining to the site.

5.17 Industrial Hygiene

Since there were no activities at the Property Industrial Hygiene was not an issue.

5.18 Ecological Resources

No ecological resources found on site.

5.19 Endangered Species

No known endangered species were noted during our site inspection. Because the Property is located in a commercial setting, there was no visible evidence of any rare animals or endangered species (e.g., owls, eagles, foxes, etc).

5.20 Indoor Air Quality

Indoor air quality is maintained by central HVAC

5.21 High Voltage Power lines

TFC did not observe any High Voltage Power Lines within the right-of-way boundaries of the Property.



# SECTION 6

## REVIEW OF NEARBY/ADJACENT PROPERTIES

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The Property bounded by a rock crushing plant to the east, the LA Technical College to the west and a roller skating warehouse to the north and residential and undeveloped land to the south. These properties are not expected to have environmental impact on the facility.

# SECTION 7

## PREVIOUS ENVIRONMENTAL REPORTS

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A prior Phase 1 Environmental Assessment was performed for the site; however the report was unavailable for review.



# SECTIONS

## CONCLUSIONS AND RECOMMENDATIONS

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Based upon review of historical records, regulatory agency records and performance of a site inspection, TFC presents the following conclusions and recommendations:

### Summary of Findings

Our investigations did not show that operations and events occurring at the facility would cause a direct environmental impact on the subject area nor are there any activities within the vicinity that could cause a significant risk to the target property.

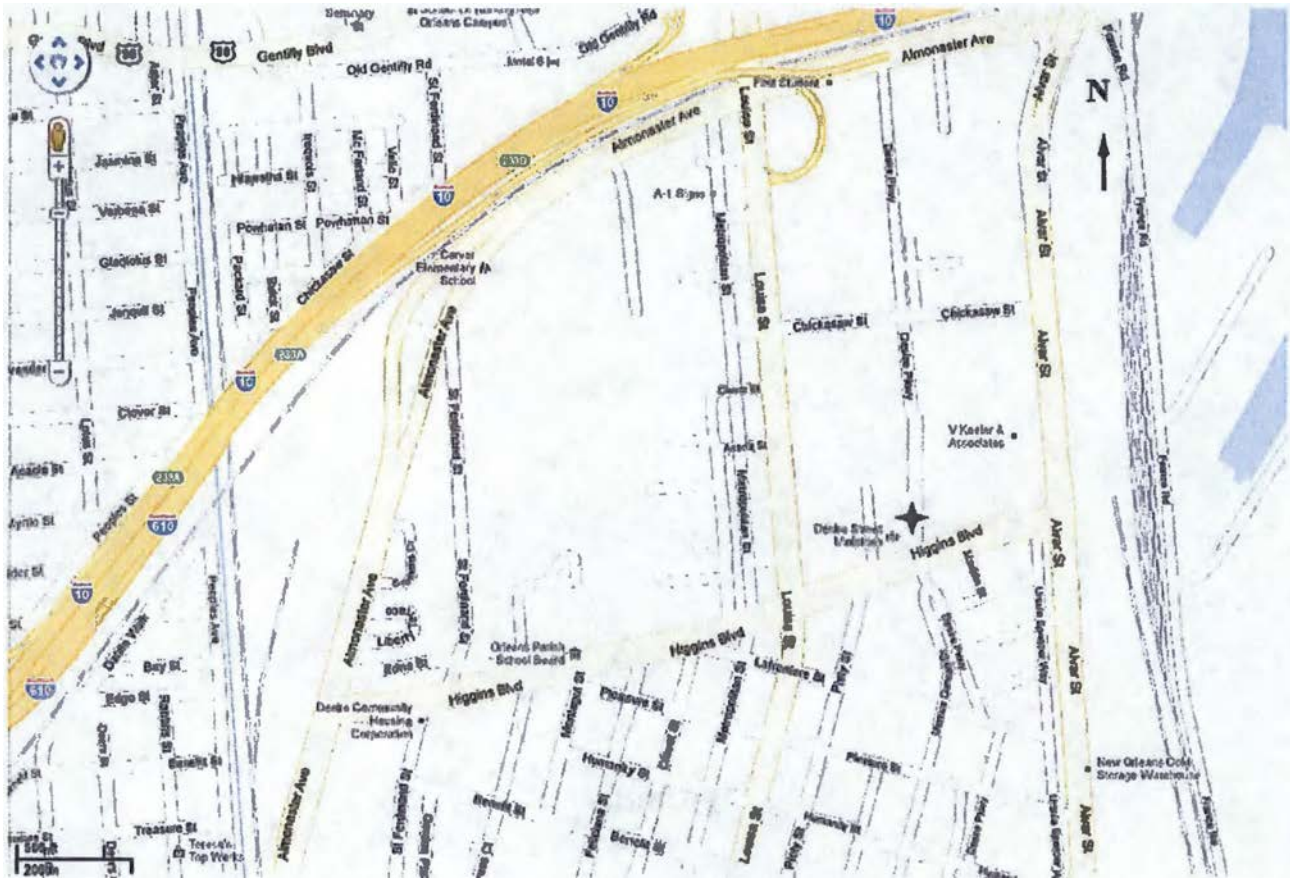
In three of the storage rooms suspect material was noted as seen in the site photos located in Appendix A. Due to the age of the building it is highly unlikely this material is Asbestos Containing Material (ACM). However, testing conducted by a licensed asbestos inspector was beyond the scope of work for this project. There are no records that indicate the presence of asbestos containing materials (ACM).

Agricultural Street landfill is a superfund site approximately 2200 feet away from the site. The EPA has been monitoring and remediating this site since 1994. There is no reason to believe that the any activities at the landfill site will have an impact on the target property.

Moreover, there are no records that depict any significant historical environmental risk or any legal or physical limitations to the site.

### Recommendation and Rationale

TFC recommends that no further investigation is required at this time. Our research has revealed that there are no environmental liabilities that can be detected from the available records and the site inspections that were conducted.




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**+** Property Location

DESIRE STREET IMPROVEMENTS	
DATE: 03-01-11	
SCALE: 1"=11'	PHOTO: n.p.
DATE: 03-01-11	APPROVED: Jir-T.
PROJECT: JoUto:	FIGURE: Property Silt

Environmental Site Assessment Photos  
3600 Desire Street  
New Orleans, LA



Front View from the northeast side of the facility located on Desire Street. No apparent environmental hazards were noted near the areas surrounding the property •



Front View from the southeast side of the facility located on Desire Street at Higgins. No apparent environmental hazards were noted near the areas surrounding the property •



Environmental Site Assessment Photos  
3600 Desire Street  
New Orleans, LA



Side View from the north side of the facility located the property line. -  
No apparent environmental hazards were noted near the areas surrounding the property



Side View from the south side of the facility located on Higgins Street.  
No apparent environmental hazards were noted near the areas surrounding the property -



Environmental Site Assessment Photos  
3600 Desire Street  
New Orleans, LA



Rear View from the southwest side of the facility located on the property line. No apparent environmental hazards were noted near the areas surrounding the property.



Rear View from the northwest side of the facility located on the property line. No apparent environmental hazards were noted near the areas surrounding the property.

Environmental Site Assessment Photos  
3600 Desire Street  
New Orleans, LA

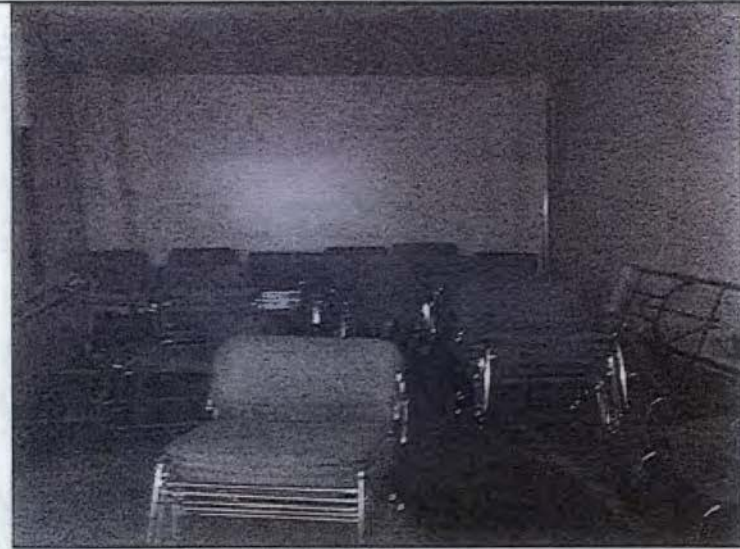


Gymnasium-located on the south side of the property, no apparent environmental hazards were within the area.

Environmental Site Assessment Photos  
3600 Desire Street  
New Orleans, LA



Gymnasium Storage area East- location of suspect material however highly unlikely since this facility was constructed in 2000



Gymnasium Storage Area West- location of suspect material however highly unlikely since this facility was constructed in 2000



Environmental Site Assessment Photos  
3600 Desire Street  
New Orleans, LA



Class Room Corridor- no apparent environmental hazards were within the area.



Large Maintenance storage area- no apparent environmental hazards were within the area.

Environmental Site Assessment Photos  
3600 Desire Street  
New Orleans,  
LA



Adjoining structure on the north side of property that is not scheduled for demolition. No apparent environmental hazards were within the area.

Neighboring property on the north. This property is an empty warehouse that is currently being used for roller skating practice. No environmentally hazardous conditions or activities appear to be taking at this location.

Environmental Site Assessment Photos  
3600 Desire Street  
New Orleans, LA



Neighboring property on the East on Desire Street. This property is a rock crushing area. No environmentally hazardous conditions or activities appear to be taking place at this location.



Neighboring property on the south at Higgins. This area consists of residents and undeveloped land. No environmentally hazardous conditions or activities appear to be taking place at this location.

Environmental Site Assessment Photos  
3600 Desire Street  
New Orleans, LA



Neighboring property on the West side is LA Vocational school. This school has not been in use since 2005. No environmentally hazardous conditions or activities appear to be taking place at this location.

**Appendix C**  
**Eight-Step Decision Making Process**

**DESIRE STREET MINISTRIES  
ALTERNATE PROJECT**

**Executive Order 11988 – Floodplain Management  
Eight-Step Decision Making Process [EA]**

Executive Order 11988 (Floodplain Management) requires federal Agencies “to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of the floodplain and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” FEMA’s implementing regulations are at 44 CFR Part 9, which includes an Eight Step decision making process.

**Step 1: Determine if the Proposed Action is Located in the Base Floodplain**

Where released and available, the 2012 Revised Preliminary DFIRMS are viewed as the best available flood risk data for FEMA’s own grant programs in its implementation of E.O. 11988; however, 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 (Miller 2011). Orleans Parish enrolled in the NFIP as of 8/3/1970. Orleans Parish Advisory Base Flood Elevation Maps (ABFEs) were issued June 2006 and are currently adopted by the Orleans parish NFIP community for floodplain management purposes. Per ABFE panel LA-DD32 (Figure 10), the site is located in the 100-year floodplain with a BFE of -1.5 or 3 ft. above the Highest Existing Adjacent Grade (HEAG). Per Revised Preliminary DFIRM panel 22071C0231F, the site is located outside of the 100-year floodplain, but within the 500-year floodplain (shaded Zone X).

**Step 2: Early Public Notice (Preliminary Notice)**

In general, FEMA has an obligation to provide adequate information to enable the public to have impact on the decision outcome for all action having the potential to affect, adversely, or be affected by floodplains or wetlands that it proposes. FEMA shall provide the public with adequate information and opportunity for review and comment at the earliest possible time and throughout the decision-making process; and upon completion of this process, provide the public with an accounting of its final decision (see 9.12). A Cumulative Initial Public Notice was published statewide 11/07-09/05. Additional Public Notice shall be provided as required by the Executive Order.

**Step 3: Identify and Evaluate Alternatives to Locating in the Base Floodplain.**

The alternative of ‘no action’ would have no determinable impact to the floodplain; however it is not practicable as it would leave the community without required services. The alternative of relocation outside of the 100-year floodplain is also not practicable. Although the proposed site is within the 100-yr floodplain according to 2006 ABFE maps, the more up to date 2012 Preliminary DFIRM’s identify this site as outside the 100-yr floodplain. There are no alternate locations in Orleans parish that are considered

outside the floodplain according to 2006 ABFE maps. The chosen location is highly practicable when considering natural, social, economic, and legal constraints.

#### **Step 4: Identify Impacts of Proposed Action Associated With Occupancy or Modification of the Floodplain**

The risk for flood damage to the structure itself will be mitigated in accordance with the local floodplain management ordinance. The site is in an urban, previously developed location that currently serves as having a low capacity for ground water recharge, biological habitat, cultural value, and forestry value. The proposed facility will closely match the prior capacity of the pre-existing facility's footprint. The proposed wellness center would therefore not place within 100-year floodplain, structures which would impede or redirect flood flows. The facility will not likely have measurable effect on floodplain functions and values.

#### **Step 5: Design or Modify the Proposed Action to Minimize Threats to life and Property and Preserve its Natural and Beneficial Floodplain Values**

The applicant is required to coordinate with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities. Minimization standards are to be addressed at this stage, as local ordinance requires the most stringent standards. All coordination pertaining to these permit(s) should be documented and copies provided to LA GOHSEP and FEMA as part of the permanent project files. As per 44 CFR 9.11 (d) (9), mitigation or minimization standards must be applied, where possible.

#### **Step 6: Re-evaluate the Proposed Action**

The proposed project is not likely to have an adverse effect on the floodplain. The proposed project is not likely to aggravate the current flood hazard because the facility is not likely to impede or redirect flood flows. The project is not likely to disrupt floodplain values because it is not likely to change water levels in the floodplain, and will not reduce habitat in the floodplain. Therefore, it is still practicable to construct the proposed project within the floodplain.

Alternatives consisting of locating the project outside the floodplain or taking "no action" are not practicable.

#### **Step 7: Findings and Public Explanation (Final Notification)**

A National Environmental Policy Act (NEPA) Environmental Assessment (EA) has been drafted to determine if the proposed wellness center, will have the potential for significant adverse effects on the quality of the human and natural environment. The results are being used to make a decision whether to initiate preparation of an Environmental Impact Statement (EIS) or to prepare a Finding of No Significant Impact. The availability of the Draft EA and this 8-step for public review will be announced in the local newspaper. A 15 day comment period will follow the Public Notice publication.

**Step 8: Implement the Action**

The proposed project will be constructed in accordance with applicable floodplain management requirements.



**Appendix D**  
**Public Notice**

**FEMA'S PUBLIC NOTICE OF AVAILABILITY FOR  
THE DESIRE STREET MINISTRIES,  
MULTI-PURPOSE BUILDING PROJECT,  
ORLEANS PARISH, LOUISIANA,  
DRAFT ENVIRONMENTAL ASSESSMENT AND  
DRAFT FINDING OF NO SIGNIFICANT IMPACT**

Interested parties are hereby notified that the Federal Emergency Management Agency (FEMA) has prepared a Draft Environmental Assessment (DEA) for the proposed reconstruction and reconfiguration of the multi-purpose facility at 3600 Desire Parkway in New Orleans, Louisiana, 70126, Orleans Parish, Latitude 29.995680, Longitude -90.032824.

The proposed action would construct a new 30,800sf facility at the same location as the storm-damaged structure. The proposed new facility would function as a community wellness center with the capacity to support planned community medical and dental services, and would be divided into three (3) departments: wellness and educational facilities, dental operator & hygiene, and a clinic. Support rooms include a pharmacy, conference room, bathrooms, lobby area, waiting rooms, administration, storage, and a laboratory. Ground disturbing activities would be limited to those areas needed to construct the foundation, stage construction materials, install utilities, and construct associated driveways and parking.

Desire Street Ministries, a private not-for-profit organization serving the general public, seeks federal grant funds for this action eligible under a Presidential disaster declaration, signed on August 29, 2005 (FEMA-1603-DR-LA). Per the National Environmental Policy Act (42 U.S.C. 4371 *et seq.*), and associated environmental statutes, a DEA has been prepared to evaluate the proposed action's potential impacts on the human and natural environment. This DEA summarizes the purpose and need, site selection process, alternatives to the proposed action, and potential environmental consequences associated with the proposed action.

The DEA and draft Finding of No Significant Impact (FONSI) will be available for public review at the Orleans Parish Main Library at 219 Loyola Avenue, New Orleans, Louisiana 70112 (hours are 10:00 AM to 6:00 PM, Mon.-Thurs. and 10:00 AM to 5:00 PM Fri. & Sat.), and at the Alvar Branch at 913 Alvar Street, New Orleans, Louisiana 70117 (hours are 10:00 AM to 7:00 PM, Mon.-Thurs. and 10:00 AM to 5:00 PM Sat.). The DEA can also be viewed and downloaded from FEMA's website: <http://www.fema.gov/media-library/search/Desire>. The public notice will run in the local newspaper, *The Times-Picayune*, on September 25 and 27, and October 2, 2013. The comment period will begin September 25, 2013, and end October 9, 2013 at 4 pm. Written comments on the DEA/Draft FONSI or related matters can be faxed to FEMA's Louisiana Recovery Office at (504) 762-2323; email to [FEMA-NOMA@fema.dhs.gov](mailto:FEMA-NOMA@fema.dhs.gov); or mailed to FEMA Louisiana Recovery Office, EHP – Desire Street Ministries Multi-Purpose Building EA, 1 Seine Court, New Orleans, Louisiana 70114.

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. If no substantive comments are received, the DEA and associated draft 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.

**Appendix E**  
**Draft FONSI**



# FEMA

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

**DRAFT FINDING OF NO SIGNIFICANT IMPACT DESIRE  
STREET MINISTRIES MULTI-PURPOSE BUILDING NEW  
ORLEANS, ORLEANS PARISH, 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 a 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's 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 reconstruction and reconfiguration of the Desire Street Ministries' multi-purpose facility and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

## **Proposed Action**

The proposed action is for the reconstruction of the severely damaged multi-purpose facility, at its pre-storm location, but with a different configuration, as a community wellness center that would provide planned community medical and dental services. The new community wellness center would consist of an approximately 30,800sf building and be divided into three (3) departments: wellness and educational facilities, dental operator & hygiene, and a clinic. Support offices would include a pharmacy, conference room, bathrooms, lobby area, waiting rooms, administration support, storage, and a laboratory. Ground disturbing activities would be limited to those areas needed to construct the foundation, stage construction materials, install utilities, and construct associated driveways and parking.

## **Findings**

FEMA has evaluated the proposed project for significant adverse impacts to geology and soils, water resources (wetlands, floodplains and other waters), coastal resources, biological resources, cultural resources, air quality, noise, hazardous materials and environmental justice. 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:

- New construction must be compliant with current codes and standards. In accordance with applicable local, state, and federal regulations, the applicant is responsible for acquiring any necessary permits and/or clearances prior to the commencement of any construction related activities.
- A Louisiana Pollution Discharge Elimination System (LPDES) permit may be required in accordance with the Clean Water Act and the Louisiana Clean Water Code. If required to do so by LDEQ, the Applicant shall require its contractor to prepare, certify, and implement a construction storm water pollution prevention plan approved by LDEQ to prevent sediment and construction material transport from the project site. The Applicant shall comply with all conditions of the required permit. All coordination pertaining to these activities should be documented and copies forwarded to the state and FEMA as part of the permanent project files.
- The Applicant should ensure that best management practices that meet the LDEQ permitting specifications for storm water discharge regulated under §§ 401 and 402 of the CWA are implemented in order to minimize indirect impacts (erosion, sedimentation, dust and other construction-related disturbances) to the nearby waters of the United States and well defined drainage areas surrounding the site, and include the following into the daily operations of the construction activities: silt screens, barriers (*e.g.*, hay bales), berms/dikes, and or fences to be placed where and as needed. Fencing should be placed for marking staging areas to store construction equipment and supplies as well as conduct maintenance/repair operations.
- New construction must be compliant with current codes and standards. Per 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. The applicant is required to coordinate all construction activities with the local floodplain administrator regarding floodplain permit(s) prior to the start of any activities, and remain in compliance with formally adopted local floodplain ordinances. 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 project has been found by the Louisiana Department of Natural Resources (LDNR) to be inside the Louisiana Coastal Zone. LDNR, therefore, requires 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. The applicant is responsible for coordinating with and obtaining any required Coastal Use Permit(s) (CUP) or other authorizations from the LDNR Office of Coastal Management's Permits

and Mitigation Division prior to initiating work. The applicant must comply with all conditions of the required permits. All coordination pertaining to these activities and applicant compliance with any conditions should be documented and copies forwarded to the state and FEMA for inclusion in the permanent project files.

- To reduce potential short term effects to air quality from construction related activities, the contractor should use BMPs to reduce fugitive dust generation and diesel emissions. The contractor should water down construction areas when necessary to minimize particulate matter and dust. To reduce emission criteria pollutants, fuel-burning equipment running times should be kept at a minimum and engines should be properly maintained.
- Construction traffic should be closely monitored and controlled as appropriate. All construction activities should be conducted in a safe manner in accordance with Occupational Safety and Health Act (OSHA) requirements.
- Project construction may 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 amounts 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.
- Louisiana Unmarked Human Burial Sites Preservation Act: If human bone or unmarked grave(s) are present with the project area, 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.
- Inadvertent Discovery Clause: If during the course of work, archaeological artifacts (prehistoric or historic) 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, and others as appropriate.
- 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 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. 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.

**Public Review and Comment**

The Draft EA can be viewed and downloaded from FEMA's website at: <http://www.fema.gov/environmental-planning-and-historic-preservation-program/environmental-documents-public-notice-2>. The Draft EA will also be available for public review at the Orleans Parish Main Library at 219 Loyola Avenue, New Orleans, LA, and the Alvar Branch at 913 Alvar Street, New Orleans, LA 70117. A legal notice will be posted in the local newspaper, *The Times-Picayune*, on the following dates: September 25, September 27, and October 2, 2013. If no substantive comments are received, the Draft EA will become final and the initial Public Notice will also serve as the final Public Notice.

**Approval:**

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

\_\_\_\_\_ Date  
Andre Cadogan, Deputy Director of Programs  
Louisiana Recovery Office  
FEMA-1603/1607-DR-LA