

# **Record of Environmental Consideration**

See 44 Code of Federal Regulation Part 10.

**Project Name/Number:** Holy Cross School / FIPS Number: 071-UIZ17-00; PW TBD

**Project Location:** 1500 Prentiss Avenue, New Orleans, LA Orleans Parish  
Redeemer Seton High School: 30.01341, -90.07751  
St. Francis Xavier Cabrini School: 30.014360, -90.07613  
St. Francis Xavier Cabrini Church: 30.01482, -90.07677

**Project Description:** By letter dated January 25, 2007 from Colonel Thomas Kirkpatrick, State Coordinating Officer with the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) to Mr. James Stark, Director of the Federal Emergency Management Agency (FEMA) Louisiana Transitional Recovery Office (TRO), the state has requested Improved Projects on behalf of two applicants, Holy Cross School and the Archdiocese of New Orleans. Holy Cross School wishes to relocate the functionality of the educational institution from its current location at 4950 Dauphine Street, New Orleans, LA to that of the physical campus of St. Francis Xavier Cabrini and Redeemer Seton High School, 1500 Prentiss Avenue, New Orleans, LA. According to Charles DiGange, Headmaster of Holy Cross School in a letter dated January 24, 2007 to GOHSEP, the new school will consist of a new facility that is characteristic with the existing facility where the Holy Cross School is currently located. The existing Holy Cross School site will be stabilized and used for other purposes, not yet determined. Also, according to Col. Kirkpatrick's letter and a letter dated January 24, 2007 from Jeffery Entwisle, Financial Review Officer for the Archdiocese of New Orleans, the Archdiocese of New Orleans plans to relocate the educational functionality of the St. Francis Xavier Cabrini and Redeemer Seton Schools from their current physical location, 1500 Prentiss Avenue, New Orleans, LA to one of two sites for the campus of Archbishop Hannon High School, 75376 River Road, St. Benedict, LA. However, it must be noted that the stabilization of the existing Holy Cross Site and the Archdiocese of New Orleans' plans to relocate the functionality of St. Francis Xavier Cabrini and Redeemer Seton Schools for the campus of Archbishop Hannon High School are not covered in the scope of work for this Environmental and Historic Preservation review. Those activities will be reviewed for compliance with all Environmental and Historic Preservation Laws once those projects are formally submitted at a later date.

Currently, the proposed project site is 18 acres and consists of Redeemer Seton High School, St. Francis Xavier Cabrini School and St. Francis Xavier Cabrini Church. The St. Frances Xavier Cabrini site contains 12 buildings with a total area of 97,885 square feet and a capacity of 2,500 people. The capacity of St. Francis Xavier Cabrini Church alone is 1,600 people. The Redeemer-Seton site contains eight buildings totaling 95,338 square feet and a capacity of 450 people. To accommodate the relocation of Holy Cross School, all buildings currently contained within the 18 acre St. Frances Xavier Cabrini and Redeemer Seton Sites will be demolished. The new Holy Cross School will tentatively contain four buildings totaling 125,000 square feet with a capacity of 975 people. The Holy Cross Site will also contain a sports complex, football and baseball fields with concessions, tennis and racquet/handball courts, new paved parking areas and landscaping, and a maintenance building.

### Documentation Requirements

- No Documentation Required **(Review Concluded)**
- (Short version) All consultation and agreements implemented to comply with the National Historic Preservation Act, Endangered Species Act, and Executive Orders 11988, 11990 and 12898 are completed and no other laws apply. **(Review Concluded)**
- (Long version) All applicable laws and executive orders were reviewed. Additional information for compliance is attached to this REC.

### National Environmental Policy Act (NEPA) Determination

- Statutorily excluded from NEPA review. **(Review Concluded)**
- Programmatic Categorical Exclusion - Category **(Review Concluded)**
- Categorical Exclusion - Category
  - No Extraordinary Circumstances exist.  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
  - Extraordinary Circumstances exist (See Section IV).  
 Extraordinary Circumstances mitigated. (See Section IV comments)  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
- Environmental Assessment
- Supplemental Environmental Assessment (Reference EA or PEA in comments)
- Environmental Impact Statement

*Comments:* Covered under the Alternative Arrangements.

### Reviewer and Approvals

- Project is Non-Compliant (See attached documentation justifying selection).

FEMA Environmental Reviewer.

Name: Letha Dawson, Environmental Specialist

Signature \_\_\_\_\_ . Date 00/00/2007 .

FEMA Environmental Reviewer.

Name: Perry Boudreaux, Environmental Specialist

Signature \_\_\_\_\_ . Date 00/00/2007 .

FEMA Environmental Officer or delegated approving official.

Name: Howard R. Bush, ELO

Signature \_\_\_\_\_ . Date 00/00/2007 .

# I. Compliance Review for Environmental Laws (other than NEPA)

## A. National Historic Preservation Act

- Not type of activity with potential to affect historic properties. **(Review Concluded)**
- Applicable executed Programmatic Agreement (12/03/2004) Otherwise, conduct standard Section 106 review.
  - Activity meets Programmatic Allowance # \_\_\_\_\_
  - Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
- Programmatic Agreement not applicable, must conduct standard Section 106 Review.

### HISTORIC BUILDINGS AND STRUCTURES

- No historic properties that are listed or 45/50 years or older in project area. **(Review Concluded)**
- Building or structure listed or 45/50 years or older in project area and activity not exempt from review.
  - Determination of No Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
  - Determination of Historic Properties Affected (FEMA finding/SHPO/THPO concurrence on file)
    - Property a National Historic Landmark and National Park Service was provided early notification during the consultation process. If not, explain in comments
    - No Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file).  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
    - Adverse Effect Determination (FEMA finding/SHPO/THPO concurrence on file)
      - Resolution of Adverse Effect completed. (MOA on file)  
Are project conditions required  Yes (see section V)  No **(Review Concluded)**

### ARCHEOLOGICAL RESOURCES

- Project affects only previously disturbed ground. **(Review Concluded)**
- Project affects undisturbed ground.
  - Project area has no potential for presence of archeological resources
    - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence or consultation on file). **(Review Concluded)**
  - Project area has potential for presence of archeological resources
    - Determination of no historic properties affected (FEMA finding/SHPO/THPO concurrence on file)  
Are project conditions required  Yes (see section V)  No **(Review Concluded)**
    - Determination of historic properties affected
      - NR eligible resources not present (FEMA finding/SHPO/THPO concurrence on file).  
Are project conditions required  Yes (see section V)  No **(Review Concluded)**
      - NR eligible resources present in project area. (FEMA finding/ SHPO/THPO concurrence on file)
        - No Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
        - Adverse Effect Determination. (FEMA finding/ SHPO/THPO concurrence on file)
          - Resolution of Adverse Effect completed. (MOA on file)  
Are project conditions required?  Yes (see section V)  No **(Review Concluded)**

*Comments:* 03/16/07 FEMA, GOHSEP, the Louisiana State Historic Preservation Officer of the Department of Culture, Recreation & Tourism (SHPO), and the Advisory Council on Historic Preservation (ACHP), executed a Programmatic Agreement (2004 Statewide PA) on December 3, 2004, to satisfy FEMA's responsibilities pursuant to 36 CFR Part 800, the regulations implementing Section 106 and Section 110(f) of the National Historic Preservation Act (16 U.S.C. § 470f) (NHPA), for all Undertakings funded as a result of such Disasters. In keeping with 36 CFR §800.2(d) of the Section 106 regulations and in accordance with Stipulation IV.A(3) of the 2004 Statewide PA, FEMA developed with the SHPO a feasible plan for including the public in the Section 106 review process for the Undertaking. FEMA has sought and continues to seek and consider the views of the public in considering the nature and complexity of this Undertaking, the public interest, and confidentiality concerns of private individuals and businesses, and the relationship of the Federal involvement to the Undertaking.

Pursuant to Section 106 of the NHPA, FEMA, in consultation with the SHPO, has determined that the area of potential effects (APE) for the Undertaking is the property containing the St. Frances Xavier Cabrini Church is the physical

campuses of the St. Frances Xavier Cabrini and Redeemer Seton Schools, and the St. Frances Xavier Cabrini Church. FEMA, in consultation with SHPO, has determined that only one of the buildings within the APE, the St. Frances Xavier Cabrini Church, is eligible for listing in the National Register of Historic Places (National Register). The Church is eligible under Criterion C, Criterion Consideration A, and Criterion Consideration G, for its innovative and complex structural design, exemplifying an exceptional singular design for a house of worship in New Orleans erected during the post-World War II period, and because the Church represents the work of the preeminent Modern local architecture firm of Curtis and Davis. FEMA, in consultation with SHPO, has determined that the Undertaking may have an adverse effect on the Church.

FEMA, in consultation with the SHPO, has determined that it is unlikely that there are intact National Register archeological sites based upon the completion of a Phase I archeological investigation of the area within the APE.

In accordance with Stipulation VIII.A. of the 2004 Statewide PA, FEMA has provided ACHP with a notification of adverse effect, and the ACHP has determined that the Criteria for Council Involvement in Reviewing Individual Section 106 Cases applies to the Undertaking, and ACHP notified FEMA by letter on February 16, 2007, that it would participate in consultation in accordance with 36 CFR §800.6(b)(2).

FEMA initiated consultation with the SHPO, ACHP, GOHSEP (the Program applicant), Holy Cross and the Archdiocese (Sub-grantees for the Undertaking). In addition, FEMA identified and invited the following consulting parties to participate in the Section 106 consultation process: the National Trust for Historic Preservation (NTHP); the City of New Orleans (City), the City Council and the Office of Recovery Management; New Orleans Planning District Six (District Six); the Friends of Cabrini Church (FOC); the Mississippi Band of Choctaw Indians (MBCI); the Oak Park Civic Association, and the Vista Park Civic and Improvement Association in accordance with 36 CFR §800.6(b)(2)) to resolve the adverse effects of the Undertaking on historic properties.

FEMA, SHPO, and ACHP acknowledge that executing an Agreement to outline measures to minimize or mitigate adverse effects on historic properties is an acceptable vehicle pursuant to 36 CFR 800.14(b) and Stipulation VIII.A.2. of the 2004 Statewide PA. A Memorandum of Agreement (MOA) is currently being developed and is expected to be executed in March 2007.

- Carrie Albee, Historic Preservation Specialist

The scope of work indicates ground disturbing activities associated with demolishing various structures and rebuilding new structures in new locations. A Phase I archaeological survey was performed by CEI, Inc. in March 2007 to determine the affect of this undertaking on potential archaeological resources within the Area of Potential Effect. The Phase I survey failed to identify any in-tact cultural deposits that are eligible for the National Register of Historic Places. Therefore the scope of work will not affect historic properties that are below the ground surface. Any fill or borrow material used in construction activities must be sourced from sites that do not contain any buried cultural materials (i.e. wells, cisterns, foundations, basements, prehistoric Indian artifacts, human burials, and the like). If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, 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 State Historic Preservation Office (SHPO). In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 ET SEQ.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery.

- Katherine Zeringue, Historic Preservation Specialist/Archaeologist

*Correspondence/Consultation/References:* Programmatic Agreement (2004 Statewide PA) dated December 3, 2004, SHPO consultations, MOA, and Phase I archaeological survey performed by CEI, Inc. in March 2007. In addition, see section V, number 1-2 for associated conditions.

## B. Endangered Species Act

No listed species and/or designated critical habitat present in areas affected directly or indirectly by the Federal action.

### **(Review Concluded)**

Listed species and/or designated critical habitat present in the areas affected directly or indirectly by the Federal action.

No effect to species or designated critical habitat. (See comments for justification)

Are project conditions required?  Yes (see section V)  No **(Review Concluded)**

- May affect, but not likely to adversely affect species or designated critical habitat (FEMA determination/USFWS/NMFS concurrence on file) **(Review Concluded)**
- Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
- Likely to adversely affect species or designated critical habitat
- Formal consultation concluded. (Biological Assessment and Biological Opinion on file)
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

*Comments:* Orleans Parish is known to provide suitable habitat for the following Threatened and Endangered Species: Bald Eagle, West Indian Manatee, Brown Pelican, Gulf Sturgeon, and Pallid Sturgeon. However, this project is located in a previously developed, urbanized area. Neither the listed species nor their habitat occur in or near this site, thus FEMA finds there will be no effect to Threatened or Endangered Species.

*Correspondence/Consultation/References:* Field observations during site visit on 03/15/07.

### C. Coastal Barrier Resources Act

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

*Comments:* Project is not within a CBRA zone.

*Correspondence/Consultation/References:* Louisiana Coastal Barrier Resource System Maps referenced on 03/15/07.

### D. Clean Water Act

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

*Comments:* No jurisdictional waters of the United States, including wetlands, occur in or near the project area; however, this project will affect more than one acre of land and would require a stormwater permit. See section V, numbers 3-4 for associated conditions.

*Correspondence/Consultation/References:* Site visit conducted on 03/15/07 and United States Fish & Wildlife Service National Wetlands Inventory Map at <http://wetlandsfws.er.usgs.gov/wtlnds/launch.html> referenced on 03/15/07.

### E. Coastal Zone Management Act

- Project is not located in a coastal zone area and does not affect a coastal zone area **(Review concluded)**
- Project is located in a coastal zone area and/or affects the coastal zone
  - State administering agency does not require consistency review. **(Review Concluded)**.
  - State administering agency requires consistency review.
  - Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

*Comments:* This project is located within the Louisiana Coastal Management Zone. LA DNR has determined that receipt of federal assistance is consistent with the Louisiana Coastal Resource Program. Projects within the Coastal Zone may still require a Coastal Use Permit or other authorization from DNR. Projects may be coordinated by contacting LA DNR at 1-800-267-4019.

*Correspondence/Consultation/References:* Louisiana Coastal Zone Map referenced on 03/15/07.

### F. Fish and Wildlife Coordination Act

- Project does not affect, control, or modify a waterway/body of water. **(Review Concluded)**
  - Project affects, controls or modifies a waterway/body of water.
    - Coordination with USFWS conducted
      - No Recommendations offered by USFWS. **(Review Concluded)**
      - Recommendations provided by USFWS.
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

*Comments:* No streams or water bodies are located in or near the project area.

*Correspondence/Consultation/References:* Site visit conducted on 03/15/07 and Louisiana Map at <http://www.lamap.doa.louisiana.gov/map.htm> referenced on 03/15/07.

### G. Clean Air Act

- Project will not result in permanent air emissions. **(Review Concluded)**
  - Project is located in an attainment area. **(Review Concluded)**
  - Project is located in a non-attainment area.
    - Coordination required with applicable state administering agency..
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

*Comments:* The proposed project includes demolition and construction activities that would produce short-term, minor and localized impacts on the air quality caused by vehicle emissions and fugitive dust particles. Additionally, the educational facilities and the St. Francis Xavier Cabrini Church, currently located on the Redeemer Seton and St. Francis Xavier Cabrini property were constructed prior to 1980. Therefore there is the potential for hazardous materials, including asbestos and lead based paint, to be present. See section V, numbers 5-6 for associated conditions.

### H. Farmland Protection Policy Act

- Project does not affect designated prime or unique farmland. **(Review Concluded)**
  - Project causes unnecessary or irreversible conversion of designated prime or unique farmland.
    - Coordination with Natural Resource Conservation Commission required.
      - Farmland Conversion Impact Rating, Form AD-1006, completed.
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

*Comments:* According to the web soil survey, this project site consists of Allemands muck, drained and Schriever clay. The project site is in a developed urbanized area and the Farmland Protection Policy Act is precluded. There is no prime or unique farmland on this site.

*Correspondence/Consultation/References:* National Resource Conservation Service, Web Soil Survey at <http://websoilsurvey.nrcs.usda.gov/app/> referenced on 03/15/07.

### I. Migratory Bird Treaty Act

- Project not located within a flyway zone. **(Review Concluded)**
  - Project located within a flyway zone.
    - Project does not have potential to take migratory birds. **(Review Concluded)**
      - Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
    - Project has potential to take migratory birds.
      - Contact made with USFWS
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

*Comments:* The site is an existing disturbed area with little value to migratory birds and would not be included in the United States Fish & Wildlife Service (USFWS) Migratory Bird Management Program.

*Correspondence/Consultation/References:* Site visit on 03/15/07 and Mississippi Flyway at [http://pacificflyway.gov/Documents/Mississippi\\_map.pdf](http://pacificflyway.gov/Documents/Mississippi_map.pdf) referenced on 03/15/07.

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

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

*Comments:* Project is not located in or near any surface waters with the potential to affect Essential Fish Habitat species.

*Correspondence/Consultation/References:* Site visit conducted on 03/15/07 and Louisiana Map at <http://www.lamap.doa.louisiana.gov/map.htm> referenced on 03/15/07.

### K. Wild and Scenic Rivers Act

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

*Comments:* The only Wild and Scenic River (WSR) listed in Louisiana is Saline Bayou which is located along the Natchitoches/Winn Parish border. This project occurs in Orleans Parish and does not occur near the state listed WSR.

*Correspondence/Consultation/References:* National Wild and Scenic River System at <http://www.rivers.gov/wsr-saline-bayou.html> referenced on 03/15/07.

### L. Other Relevant Laws and Environmental Regulations

Resource Conservation and Recovery Act:  
 The demolition and construction activities associated with this project will result in various types of debris and wastes, some of which may possibly be hazardous. Therefore all debris and waste must be treated, stored and disposed of in a proper manner and location. See Section V, numbers 7-10 for associated conditions.

## II. Compliance Review for Executive Orders

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

- No Effect on Floodplains/Flood levels and project outside Floodplain - **(Review Concluded)**
- Located in Floodplain or Effects on Floodplains/Flood levels
  - No adverse effect on floodplain and not adversely affected by the floodplain. **(Review Concluded)**.
    - Are project conditions required?  Yes (see section V)  No **(Review Concluded)**
  - Beneficial Effect on Floodplain Occupancy/Values **(Review Concluded)**.
  - Possible adverse effects associated with investment in floodplain, occupancy or modification of floodplain environment
    - 8 Step Process Complete - documentation on file
      - Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

*Comments:* 03/15/2007 – Improved Project - The City of New Orleans/Orleans Parish is enrolled in the National Flood Insurance Program (NFIP) as of 08/03/70. Per Flood Insurance Rate Map (FIRM) panel number 2252030095E dated Record of Environmental Consideration



03/01/84, project is located within an "A5" zone, area of 100-yr flooding, base flood elevations and flood hazard factors as determined. Project is for demolition of existing structures and relocation/construction of new campus (placement of buildings) in a Special Flood Hazard Area. Replacement/new construction must be built to current codes and standards and coordinate and comply with Local Floodplain Ordinances. Elevation information, signed and sealed by a licensed surveyor, engineer, or architect must be obtained and filed for verification of compliance. Applicant is required to coordinate with the Local Floodplain Administrator regarding Floodplain Permit(s) prior to the start of any activities. Applicant is responsible for obtaining and retaining all permits and certificates for verification. All coordination pertaining to these permit(s) should be documented to the Local Floodplain Administrator and copies provided to LA GOHSEP and FEMA as part of the permanent project files. In compliance with EO11988, an 8-step process, showing considered alternatives, was completed and is attached. Placement of the buildings must be elevated to or above the Advisory Base Flood Elevation. Per 44 CFR 9.11 (D)(9), mitigation or minimization standards must be applied where possible. The placement of building contents, materials and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the Advisory Base Flood Elevation (ABFE) per the ABFE maps (LA-EE31, dated June 5, 2006). Per 44 CFR 9.12, applicant must publish a final public notice 15 days prior to the start of construction activities. Final public notice is to be forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files. J. Schexnayder, CFM

Correspondence/consultation/references: 8-Step Process, Louisiana Recovery Map at [http://www.fema.gov/pdf/hazard/flood/recoverydata/katrina/maps/katrina\\_la\\_or-ee31.pdf](http://www.fema.gov/pdf/hazard/flood/recoverydata/katrina/maps/katrina_la_or-ee31.pdf) and see section V, number 11 for associated conditions.

**B. E.O. 11990 - Wetlands**

- No Effects on Wetland(s) and project located outside Wetland(s) - **(Review Concluded)**
  - Located in Wetland or effects Wetland(s)
    - Beneficial Effect on Wetland - **(Review Concluded)**
    - Possible adverse effect associated with constructing in or near wetland
      - Review completed as part of floodplain review
      - 8 Step Process Complete - documentation on file
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

Comments: No wetlands were observed during site visit or determined to be present by checking the United States Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) Maps.

Correspondence/Consultation/References: Field observation from site visit conducted on 03/15/07 and USFWS NWI Map at <http://wetlandsfws.er.usgs.gov/wtlnds/launch.html> referenced on 03/15/07.

**C. E.O. 12898 - Environmental Justice For Low Income and Minority Populations**

- No Low income or minority population in, near or affected by the project - **(Review Concluded)**
  - Low income or minority population in or near project area
    - No disproportionately high and adverse impact on low income or minority population- **(Review Concluded)**
    - Disproportionately high or adverse effects on low income or minority population
- Are project conditions required?  YES (see section V)  NO **(Review Concluded)**

Comments: The percent populations of the zip code 70122 where this project is located are: 73.2% Black, 23.0% White, and 3.2% Hispanic. The median household income in 1999 was \$ 31,104 and 19.9% of families are below poverty level.

Based on documentation provided by the Applicant, numerous news articles and editorials, personal emails, posted comments and documented question and comment cards, FEMA’s Environmental and Historic Preservation NEPA compliance outreach team has determined that Holy Cross School has provided sufficient documentation to demonstrate satisfactory public involvement for the proposed project located at the Redeemer Seton and St. Francis Xavier Cabrini sites.

It must be noted that this applicant, along with the Archdiocese of New Orleans, anticipate future Alternate/Improved Projects associated with the stabilization of the existing Holy Cross site and the Archdiocese of New Orleans’ plans to relocate the functionality of St. Francis Xavier Cabrini and Redeemer Seton Schools to one of two sites for the campus of Archbishop Hannon High School. These actions are not covered in the scope of work for this Environmental and Historic



Preservation review. Those activities will be reviewed for compliance with all Environmental and Historic Preservation Laws, to include public involvement, once those projects are formally submitted.

Correspondence/Consultation/References: U.S. Census Bureau 2000 data at <http://factfinder.census.gov> referenced on 03/15/07, letter from Holy Cross School dated March 16, 2007, and the attached Documentation Record of NEPA/Alternative Arrangements Process dated March 16, 2007.

### **III. Other Environmental Issues**

**Identify other potential environmental concerns in the comment box not clearly falling under a law or executive order (see environmental concerns scoping checklist for guidance).**

Traffic:

No negative, long-term impacts are expected as a result of the relocation of Holy Cross School to Redeemer Seton and St. Francis Xavier Cabrini sites. The capacity of the educational facilities at Redeemer Seton and St. Francis Xavier Cabrini is 1,350 people; whereas, the capacity of the educational facilities at the proposed Holy Cross School site is 975 people. Therefore, there will be a reduction in the capacity at the 18 acre site which will ultimately result in a decrease in traffic flow to the site.

Noise:

Short-term, minor impacts would be expected during demolition and construction activities.

Socioeconomic impacts:

Based upon the efforts of public outreach and public involvement on behalf of the applicant and FEMA’s Environmental and Historic Preservation NEPA compliance outreach team, long-term, beneficial impacts are expected to the surrounding area because of the relocation/construction of Holy Cross Schools’ new facility. It is believed that this action will spur recovery efforts and economic development opportunities in the neighborhoods adjacent to the proposed site. However, it must be noted that this applicant, along with the Archdiocese of New Orleans, anticipate future Alternate/Improved Projects associated with the stabilization of the existing Holy Cross site and the Archdiocese of New Orleans’ plans to relocate the functionality of St. Francis Xavier Cabrini and Redeemer Seton Schools to one of two sites for the campus of Archbishop Hannon High School. These actions are not covered in the scope of work for this Environmental and Historic Preservation review. Those activities will be reviewed for compliance with all Environmental and Historic Preservation Laws, to include public involvement, once those projects are formally submitted.

Phase I Environmental Site Assessment:

Results of this assessment revealed no evidence of recognized environmental conditions in connection with the property.

Correspondence/Consultation/References: Phase I Environmental Site Assessment, prepared by Professional Service Industries, Inc. on March 1, 2007 and the attached Documentation Record of NEPA/Alternative Arrangements Process dated March 16, 2007.

### **IV. Extraordinary Circumstances**

**Based on the review of compliance with other environmental laws and Executive Orders, and in consideration of other environmental factors, review the project for extraordinary circumstances.**

\* A “Yes” under any circumstance may require an Environmental Assessment (EA) with the exception of (ii) which should be applied in conjunction with controversy on an environmental issue. If the circumstance can be mitigated, please explain in comments. If no, leave blank.

**Yes**

- (i) Greater scope or size than normally experienced for a particular category of action
- (ii) Actions with a high level of public controversy

- (iii) Potential for degradation, even though slight, of already existing poor environmental conditions;
- (iv) Employment of unproven technology with potential adverse effects or actions involving unique or unknown environmental risks;
- (v) Presence of endangered or threatened species or their critical habitat, or archaeological, cultural, historical or other protected resources;
- (vi) Presence of hazardous or toxic substances at levels which exceed Federal, state or local regulations or standards requiring action or attention;
- (vii) Actions with the potential to affect special status areas adversely or other critical resources such as wetlands, coastal zones, wildlife refuge and wilderness areas, wild and scenic rivers, sole or principal drinking water aquifers;
- (viii) Potential for adverse effects on health or safety; and
- (ix) Potential to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.
- (x) Potential for significant cumulative impact when the proposed action is combined with other past, present and reasonably foreseeable future actions, even though the impacts of the proposed action may not be significant by themselves.

*Comments:*

(ii): This project qualifies for expedited considerations under the Alternative Arrangements (AA) for NEPA Compliance. Applicants for FEMA’s Public Assistance (PA) funding are required under AA to produce a public involvement plan and obtain public input regarding a proposed project. Based on documentation provided by the Applicant, Holy Cross School, numerous news articles and editorials, personal emails, posted comments and documented question and comment cards, FEMA’s Environmental and Historic Preservation NEPA compliance outreach team has determined that Holy Cross School has provided sufficient documentation to demonstrate satisfactory public involvement for the project located at Redeemer Seton and St. Francis Xavier Cabrini.

(v): FEMA has evaluated this project for cumulative impacts on natural and historic resources in the area using the FEMA Public Assistance Project Viewer for New Orleans at <http://ims.ursdcmetro.com>. Based on this review no natural or historic resources were found that could be cumulatively impacted by this project. - Jomar Maldonado, Environmental Program Specialist.

(x): This applicant, along with the Archdiocese of New Orleans, anticipate future alternate/improved projects associated with stabilization of the existing Holy Cross Site and the Archdiocese of New Orleans’ plans to relocate the functionality of St. Francis Xavier Cabrini and Redeemer Seton Schools to one of two sites for the campus of Archbishop Hannon High School. These actions are not covered in the scope of work for this Environmental and Historic Preservation review. Those activities will be reviewed for compliance with all Environmental and Historic Preservation Laws once those projects are formally submitted at a later date.

*Correspondence/Consultation/References:* See the attached Documentation Record of NEPA/Alternative Arrangements Process dated March 16, 2007 and the following websites [www.fema.gov/plan/chp/noma/index.shtm](http://www.fema.gov/plan/chp/noma/index.shtm) and <http://ims.ursdcmetro.com> for more information.

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

General comments: None

### Project Conditions:

1. Applicant must comply with the treatment measures outlined in the Memorandum of Agreement.
2. The demolition of buildings on Redeemer Seton and St. Francis Xavier Cabrini sites along with the relocation of Holy Cross School to the above mentioned sites requires that any fill or borrow material used in construction activities be sourced from sites that do not contain any buried cultural materials (i.e. wells, cisterns, foundations, basements, prehistoric Indian

artifacts, human burials, and the like). If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, 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 State Historic Preservation Officer (SHPO). In addition, if unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 ET SEQ.) is required. The applicant shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The applicant shall also notify FEMA and the Louisiana Division of Archaeology at 225-342-8170 within seventy-two hours of the discovery.

3. This project will affect more than one acre of land. Thus a stormwater permit or Louisiana Pollutant Discharge Elimination System from the Louisiana Department of Environmental Quality (LDEQ) would be required for the proposed construction activities. The LDEQ should be contacted and all necessary stormwater permits should be received before activities are initiated.
4. In order to convey storm water runoff, the contractor will be required to design drainage features so that flows will not cause nuisance flooding in the School or surrounding properties during significant rain events. The drainage system will be required to meet local and parish requirements, including the acquisition of easements, if applicable. All permit conditions will be incorporated into the project design and implementation.
5. This project involves the demolition of buildings on the Redeemer Seton and St. Francis Xavier Cabrini sites that were constructed prior to 1980. Structures of this age often may have been constructed and furnished with Asbestos Containing Materials (ACM). The identification, notification, demolition, removal, transport, and disposal of ACM is regulated by the LDEQ and must be conducted in accordance with LDEQ's Eighth amended declaration of emergency and administrative order, dated January 19, 2007, and the Louisiana Emission Standards for Hazardous Air Pollutants protocol dated March 1, 2006, incorporating the provisions of Environmental Protection Agency's (EPA) National Emission Standards for Hazardous Air Pollutants (NESHAPs) and Louisiana Administrative Code (LAC) 33.III.5151 and Chapter 27.
6. This project involves the demolition of buildings on the Redeemer Seton and St. Francis Xavier Cabrini sites that were constructed prior to 1980. Structures of this age often may have been constructed with Lead Based Paint (LBP). Activities involving abrading (sanding, scraping, etc.), heating, stripping, or otherwise concentrating LBP shall comply with applicable provisions of 29 Code of Federal Regulations (CFR) Parts 1910 and 1926 (Occupational Safety and Health Administration - Worker Safety), and 40 CFR 260 through 268 (EPA- Hazardous Waste). The applicant is responsible for ensuring that demolition activities are coordinated with the LDEQ for abatement activities and is also responsible for ensuring proper disposal in accordance with the previously referenced regulations.
7. Demolition of the facilities associated with Redeemer Seton High School, St. Francis Cabrini Xavier Cabrini School, and St. Francis Xavier Cabrini Church will primarily generate solid wastes in the form of construction and demolition debris. Unusable equipment, debris and material shall be disposed of in an approved manner and location. In the event significant items (or evidence thereof) are discovered during implementation of the project applicant shall handle, manage, and dispose of hazardous materials and/or waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.

8. Removal and disposal of debris containing household hazardous waste and certain categories of liquid wastes must be performed in accordance with all applicable federal and state laws, regulations, executive orders and guidelines. LAC Title 33 Part VII requires that specified items, including lead acid batteries, used oil filters, used motor oil, scrap tires, Chlorofluorocarbons (refrigerants), radioactive waste or regulated infectious wastes must be segregated from and excluded from non-hazardous debris collection, staging, processing and disposal sites. Failure to comply with applicable legal requirements in debris collection and/or disposal operations will jeopardize federal funding. The clean-up or restoration/repair of sites damaged as a result of such operations are ineligible for federal funding. Previously obligated funding is subject to de-obligation if a determination of ineligibility is made. Applicants managing debris staging, processing, burning or disposal sites (other than previously permitted landfills) that have been permitted by LDEQ must also complete an Emergency Debris Management Site Certification (self certification) regarding compliance with all applicable substantive laws and executive orders.
9. The demolition of the Redeemer Seton and St. Francis Xavier Cabrini facilities may involve the removal and disposal of wood or cellulose materials. Orleans Parish is one of 12 parishes in Louisiana under quarantine for infestation of the Formosan termite. In accordance with the Formosan Termite Initiative Act (Louisiana Revised Statutes 3:3391.1 thru 3391.13), wood or cellulose material, temporary housing or architectural components (e.g. beams, doors and other wood salvaged from a structure) may not be moved from, buried in, or used as landfill in a quarantined parish without written authorization from the Louisiana Department of Agriculture and Forestry.
10. This project potentially involves the disposal of metallic mercury containing electronic devices. The applicant is responsible for ensuring that these devices are recovered, recycled, reused or sequestered in accordance with the LDEQ "Declaration of Emergency; Mercury-Containing Devices and Electronic Equipment as Universal Waste" letter dated October 3, 2005.
11. Redeemer Seton and St. Francis Xavier Cabrini sites are located within an "A5" zone, area of 100-year flooding, base flood elevations and flood hazard factors as determined. Project is for demolition of existing structures and relocation/construction of new campus (placement of buildings) in a Special Flood Hazard Area. Replacement/new construction must be built to current codes and standards and coordinate and comply with Local Floodplain Ordinances. Elevation information, signed and sealed by a licensed surveyor, engineer, or architect must be obtained and filed for verification of compliance. Applicant is required to coordinate with the Local Floodplain Administrator regarding Floodplain Permit(s) prior to the start of any activities. Applicant is responsible for obtaining and retaining all permits and certificates for verification. All coordination pertaining to these permit(s) should be documented to the Local Floodplain Administrator and copies provided to LA GOHSEP and FEMA as part of the permanent project files. Placement of the buildings must be elevated to or above the Advisory Base Flood Elevation. Per 44 CFR 9.11 (D)(9), mitigation or minimization standards must be applied where possible. The placement of building contents, materials and equipment should be, where possible, wet or dry-proofed, elevated, or relocated to or above the Advisory Base Flood Elevation (ABFE) per the ABFE maps (LA-EE31, dated June 5, 2006). Per 44 CFR 9.12, applicant must publish a final public notice 15 days prior to the start of construction activities. Final public notice is to be forwarded to the LA GOHSEP and FEMA for inclusion in the permanent project files.
12. In order to comply with the Alternative Arrangements process, and because of the potential for this project to have an adverse impact on the environment, including the social and

economic environments, prior to initiating the project, the applicant must prepare a public involvement plan and conduct a public involvement process. Copies of any articles, public notices, meeting minutes, and public comments should be provided to FEMA to become part of the project record.

Monitoring Requirements: None