

**1st AMENDMENT TO THE
1st AMENDED
MEMORANDUM OF AGREEMENT
AMONG
THE FEDERAL EMERGENCY MANAGEMENT AGENCY,
THE CITY OF NEW ORLEANS,
LOUISIANA STATE HISTORIC PRESERVATION OFFICER OF THE DEPARTMENT
OF CULTURE, RECREATION & TOURISM,
AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
REGARDING THE ELEVATION/WIND RETROFIT OF
RESIDENTIAL STRUCTURES, ORLEANS PARISH, LA
NEMIS #1603-0073 & #1607-0107**

WHEREAS, the Memorandum of Agreement (MOA) among the Federal Emergency Management Agency (FEMA), the City of New Orleans (CNO), Louisiana State Historic Preservation Officer of the Department of Culture, Recreation & Tourism (SHPO), and the Advisory Council on Historic Preservation (ACHP) to provide funding to Orleans Parish to elevate and/or wind retrofit fifty-five (55) historic, privately-owned residential structures in Orleans Parish (Undertaking) was executed by FEMA, SHPO, and ACHP as Signatories, and CNO and the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) as Invited Signatories, and went into effect on February 7, 2011; and

WHEREAS, the Preservation Resource Center of New Orleans (PRC), Mid-City Neighborhood Organization (MCNO); and Foundation for Historical Louisiana (FHL) signed the MOA as Concurring Parties; and

WHEREAS, the MOA was revised on June 8, 2012 to provide CNO with the flexibility to update the list of 55 historic, privately-owned residential structures in Orleans Parish by adding to or removing, as needed, the properties that will receive FEMA monies to fund elevations or wind retrofit treatments and to update the review process required by the MOA by executing a 1st Amended MOA (Amended MOA); and

WHEREAS, the Amended MOA was signed by FEMA, SHPO, and ACHP as Signatories; GOHSEP and CNO as Invited Signatories; and PRC, MCNO, FHL, and the Muscogee (Creek) Nation (MCN) as Concurring Parties; and

WHEREAS, the Amended MOA fully superseded the terms of the MOA; and

WHEREAS, since the execution of the Amended MOA, the following treatment measures have been completed:

Stipulation II: FEMA completed all property specific reviews following CNO's final addition of new properties in 2013, consultation reference dates are included in reports from 2012 and 2013. Since that time, project amendments from CNO have modified project costs and removed properties from the Undertaking, but have not added any new properties. CNO completed construction on the majority of properties and prepared a

comprehensive list to document the construction status of all properties in the Undertaking as of October 31, 2016, attached as Appendix A; and

Stipulation III: FEMA verified that CNO provided a copy of FEMA's 2008 publication, *How to Raise (Elevate) Your Historic Home* to each owner of a property eligible for, or listed on, the NRHP who chose to participate in the program; and CNO submitted the required assessments and checklists to FEMA and GOHSEP; and

Stipulation IV: SHPO, Division of Archaeology, accepted the final report detailing completion of archaeological identification and evaluation efforts for the properties in the Undertaking on August 12, 2013, and all artifacts were subsequently curated with the Division of Archaeology; and

Stipulation V: FEMA transmitted the final archival quality photos to CNO and the Earl K. Long Library at the University of New Orleans on August 28, 2013, and to SHPO on August 29, 2013; and

Stipulation VII: FEMA published 500 archival quality copies of the book, *The History of Building Elevation in New Orleans*, presented an overview of this booklet, in coordination with the New Orleans Public Library, to the public at the Rosa F. Keller Library & Community Center in July of 2013, and distributed all copies of the book. Recipients of the book include, but are not limited to, CNO, the Historic District Landmarks Commission of New Orleans, the Vieux Carrè Commission, State Historic Preservation Offices (including Louisiana, Mississippi, New Jersey and New York), the Preservation Resource Center of New Orleans, the Foundation for Historic Louisiana, the New Orleans Public Library (copies provided for all branches), FEMA regional offices and headquarters, the Louisiana Landmarks Society, AIA New Orleans, Delgado University, University of New Orleans, Tulane Architecture Library and Louisiana Collection, LSU Library, and the Historic New Orleans Collection.

WHEREAS, FEMA has determined that it is necessary to execute a 1st Amendment to the Amended MOA to update the requirements of Stipulation VI and to extend the duration date of the Amended MOA to allow additional time to keep the provisions of Stipulation VIII for treatment of discoveries in effect while the CNO takes steps to complete the Undertaking;

WHEREAS, the National Trust for Historic Preservation (NTHP) and the Mississippi Band of Choctaw Indians (MBCI) participated in the development of the MOA were recognized as Consulting Parties by FEMA, and were invited by FEMA to, but did not, sign the MOA; and NTHP and MBCI were invited by FEMA to, but did not, sign the Amended MOA as a Concurring Party; and have not been invited by FEMA to participate in the development of or to sign this 1st Amendment to the Amended MOA;

NOW THEREFORE, in accordance with Stipulation XII of the Amended MOA, FEMA, SHPO, ACHP, CNO, GOHSEP, PRC, MCN, FHL, and MCNO agree to amend the Amended MOA as follows:

1. Amend Stipulation VI in its entirety to read as follows:

The purpose of Stipulation VI has been satisfied by the publication, *The History of Building Elevation in New Orleans*, developed under Stipulation VII. It was published in 2012, prior to the delayed start of work to elevate properties selected to participate in the Undertaking and documents the historic and current processes and methods that have been used to elevate a range of residential property types in the City of New Orleans. Research for the booklet included multiple elevation technology interviews with elevation companies. The publication describes seven contemporary elevation techniques illustrated with photographs and drawings that show the basic steps in house elevation and the tools used. Although it is not feasible to incorporate information regarding the elevation of selected properties included in the Undertaking, the publication documents contemporary elevations and brings the history of elevations to the present.

2. Amend Stipulation XIII in its entirety so it reads as follows:

Unless amended or terminated in accordance with Stipulation X, this CNO-Elevations MOA as amended will remain in effect through December 31, 2018 or until FEMA determines that it has been satisfactorily fulfilled. CNO will notify GOHSEP and FEMA when the Undertaking is completed, and FEMA will notify the other Signatories, Invited Signatories, and Concurring Parties by e-mail when it determines that the terms of the CNO-Elevations MOA as amended have been completed and opportunities for discoveries and/or unforeseen effects are unlikely, thereby fulfilling the terms of this CNO-Elevations MOA as amended.

EXECUTION AND IMPLEMENTATION of this CNO-Elevations 1st Amendment to the Amended MOA evidences that FEMA has afforded ACHP a reasonable opportunity to comment on the Undertaking to elevate and/or wind retrofit historic privately-owned residential structures in Orleans Parish and the effect of the Undertaking on historic properties, that FEMA has taken into account the effects of the Undertaking on historic properties, and that FEMA has satisfied its responsibilities under Section 106 of the National Historic Preservation Act and its implementing regulations.

SIGNATORY PARTIES:

FEDERAL EMERGENCY MANAGEMENT AGENCY



Digitally signed by THOMAS M WOMACK
DN: c=US, o=U.S. Government, ou=Department of Homeland Security, ou=FEMA, ou=People, cn=THOMAS M WOMACK,
0.9.2342.19200300.100.1.1=0001134728.FEMA.1
Date: 2016.12.21 07:40:31 -0500

Date: _____

Thomas M. (Mike) Womack
Director
Louisiana Recovery Office

JERAME J
CRAMER

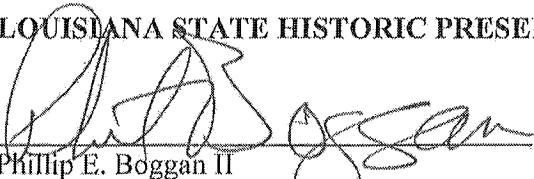
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DN: c=US, o=U.S. Government, ou=Department of Homeland Security, ou=FEMA, ou=People, cn=JERAME J CRAMER,
0.9.2342.19200300.100.1.1=0072803916.FEMA
Date: 2016.12.23 08:59:22 -0500

Date: 12/23/2016

Jeramé Cramer
Environmental Liaison Officer
Louisiana Recovery Officer


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NEMIS #1603-0073 & #1607-0107

LOUISIANA STATE HISTORIC PRESERVATION OFFICER


Phillip E. Boggan II
State Historic Preservation Officer

Date: 12.27.16

ADVISORY COUNCIL ON HISTORIC PRESERVATION


John M. Fowler
Executive Director

Date: 12/29/16

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INVITED SIGNATORIES:

**GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY
PREPAREDNESS**

_____ Date: _____
James B. Waskom
Director
Governor's Office of Homeland Security and Emergency Preparedness

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INVITED SIGNATORIES:

CITY OF NEW ORLEANS, LOUISIANA

Name: _____ Date: _____
Title:

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CONCURRING PARTIES:

PRESERVATION RESOURCES CENTER OF NEW ORLEANS

Patricia Gay
Executive Director

Date: _____

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CONCURRING PARTIES:

MID-CITY NEIGHBORHOOD ORGANIZATION

Emily Leitzinger
President

Date: _____

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CONCURRING PARTIES:

MUSCOGEE (CREEK) NATION

James Floyd
Principal Chief

Date: _____

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CONCURRING PARTIES:

FOUNDATION FOR HISTORICAL LOUISIANA

_____ Date: _____
Fairleigh Cook Jackson
Executive Director

Appendix A: Table of Properties in Undertaking as of October 31, 2016.

Properties numbered 1-29 are eligible for FEMA-funded elevation/wind retrofit construction. Ongoing construction is captured under this MOA. "Pending" properties must start construction by June 2017 to remain eligible. "WIP-Complete" are properties with archaeological review completed via 2011 HMGP Programmatic Agreement as detailed in the Amended MOA.

Street #	Street Name	In Original MOA	Construction Status	Historic District	Archaeology Identification & Evaluation	Date Historic Review completed	
1.	212	Audubon Blvd	X	60% Complete	Uptown	Arch. Complete	3/6/2012
2.	4152-54	Cleveland Ave	X	100% Complete	Mid-City	Arch. Complete	3/6/2012
3.	1827	Dupre St S.	X	Pending: 0% Complete	Broadmoor	Arch. Complete	3/27/2013
4.	4437	Eden Street		90% Complete	N/A	Arch. Complete	3/6/2012
5.	4124-26	Elba St	X	90% Complete	Broadmoor	Arch. Complete	5/8/2012
6.	4314	Galvez St S.	X	95% Complete	Broadmoor	Arch. Complete	3/6/2012
7.	4930	Galvez St S.	X	100% Complete	Broadmoor	Arch. Complete	3/6/2012
8.	3425	Gen Pershing St	X	Pending: 0% Complete	Broadmoor	Arch. Complete	3/6/2012
9.	2827	Gen Pershing St	X	60% Complete	Uptown	Arch. Complete	3/6/2012
10.	2616	Jefferson Ave	X	90% Complete	Uptown	WIP-Complete	4/5/2012
11.	2640	Jefferson Ave	X	100% Complete	Uptown	WIP-Complete	4/5/2012
12.	2729	Jefferson Ave	X	100% Complete	Uptown	Arch. Complete	3/6/2012
13.	2519	Joseph St	X	90% Complete	Uptown	Arch. Complete	3/29/2012
14.	2819	Joseph St	X	100% Complete	Uptown	Arch. Complete	3/27/2013
15.	2200	Napoleon Ave	X	Pending: 5% Complete	Uptown	Arch. Complete	3/27/2013
16.	3120	Napoleon Ave	X	75% Complete	Broadmoor	Arch. Complete	3/6/2012
17.	3132	Napoleon Ave	X	45% Complete	Broadmoor	Arch. Complete	3/6/2012
18.	3516	Napoleon Ave	X	55% Complete	Broadmoor	Arch. Complete	3/6/2012
19.	3312-14	Napoleon Ave	X	75% Complete	Broadmoor	Arch. Complete	3/6/2012
20.	2439	Nashville Ave	X	100% Complete	Uptown	WIP-Complete	4/5/2012
21.	2800	Octavia St	X	100% Complete	Uptown	Arch. Complete	3/6/2012
22.	2901	Palmer Ave	X	100% Complete	Uptown	Arch. Complete	3/6/2012
23.	3439	Palmyra St	X	Pending: 5% Complete	Mid-City	Arch. Complete	3/6/2012
24.	2223	Peniston St	X	100% Complete	Uptown	Arch. Complete	2/20/2013
25.	5240	Prytania St	X	100% Complete	Uptown	Arch. Complete	5/7/2013
26.	5321	Prytania St	X	Pending: 5% Complete	Uptown	Arch. Complete	2/6/2013
27.	217	Solomon St S.	X	Pending: 0% Complete	Mid-City	Arch. Phase II completed	11/29/2012
28.	3231	State St Dr	X	100% Complete	Carrollton	Arch. Complete	5/8/2012
29.	1304	Valmont St	X	100% Complete	Uptown	Arch. Complete	4/2/2012

Appendix A (continued)

Properties numbers 30-66 were removed from the Undertaking. Some properties may have received FEMA-funded design and planning work but did not proceed to FEMA-funded construction activities.

	Street #	Street Name	In Original MOA
30.	229	Audubon Blvd	X
31.	344	Audubon St	X
32.	1929	Audubon St	X
33.	2510	Behrman St	
34.	1740	Broad Street N.	X
35.	4866	Camelia St	
36.	2022	Duels St	
37.	1822-24	Dupre St S.	X
38.	4444	Galvez St S.	X
39.	1948	Hope St.	
40.	2825	Jefferson Ave	X
41.	2418	Joseph St	X
42.	2507	Joseph St	X
43.	2616	Joseph St	X
44.	2821	Josephine St.	X
45.	4878	Lafon St	
46.	4973	Lafon St	
47.	2136	Law St	
48.	1301	Leontine St	X
49.	1301	Lowerline St	X
50.	3708	Monroe	
51.	3118	Nashville Ave.	X
52.	1740	North Broad	
53.	2635	Octavia St	X
54.	3100	Octavia St	X
55.	3202	Octavia St	X
56.	3320	Octavia St	X
57.	5343	Pitt St	X
58.	5322	Prytania St	X
59.	5326	Prytania St	X
60.	5836	Prytania St	X
61.	2709	Robert St	X
62.	915	S. Genois St	
63.	4320	Tonti St S	X
64.	4515	Tonti St S	X
65.	3115	Toulouse St	X
66.	3512	Upperline Street	X