



**FEMA**

U.S. Department of Homeland Security  
Federal Emergency Management Agency  
FEMA-1603/1607-DR-LA  
FEMA Louisiana Recovery Office  
Environmental/Historic Preservation  
1500 Main Street  
Baton Rouge, LA 70802

February 26, 2016

Phillip E. Boggan II  
State Historic Preservation Officer  
Department of Culture, Recreation & Tourism  
P.O. Box 44247  
Baton Rouge LA 70804

**RE: Section 106 Review Consultation, Katrina, FEMA-1603-DR-LA**

**Applicant: City of New Orleans**  
**Undertaking: Algiers Courthouse Repairs; 225 Morgan Street, New Orleans, Louisiana (A/I 2374)**  
**Determination: No Adverse Effect to Historic Properties (with Conditions)**

Dear Mr. Boggan II:

The Federal Emergency Management Agency (FEMA) will be providing funds authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, P.L. 93-288, as amended, in response to the following major Disaster Declarations: FEMA-1603-DR-LA, dated August 29, 2005, as amended. FEMA, through Public Assistance Program, proposes to fund the Algiers Courthouse Repairs (Undertaking) as requested by the City of New Orleans (Applicant). FEMA is initiating Section 106 review for the above referenced properties in accordance with the "Programmatic Agreement among FEMA, the Louisiana State Historic Preservation Officer, the Louisiana Governor's Office of Homeland Security and Emergency Preparedness, 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" executed on August 17, 2009 and amended on July 22, 2011 (2009 Statewide PA as amended) and providing the State Historic Preservation Office with the opportunity to consult on the proposed Undertaking. Documentation in this letter is consistent with the requirements in 36 CFR §800.11(e).

**Description of the Undertaking**

The City of New Orleans proposes to make repairs and improvements to the Algiers Courthouse located at 225 Morgan Street, New Orleans, Orleans Parish, Louisiana (Figure 1). Eligible repairs include: exterior weather envelope repairs to masonry, roof and flashing, seal window surrounds and new window glazing putty, seal door surrounds, and repave parking lot for positive drainage toward drains and away from building. Interior work includes: repairs to water damaged flat plaster ceiling and ornamental plaster trim crown molding.

Based on the 100% Construction Documents; Plans and Specification dated September 28, 2015 by Linfield, Hunter & Junius, Inc. "Algiers Courthouse Repairs", the majority of the work meets the criteria within Appendix C, Programmatic Allowances (Allowances) Item II; (Buildings) Section A – Interior Work, (1, 2, 3 and 4); Section C – Windows and Doors, (1 and 2); Section D – Exterior Walls et al), (1, 2 & 5); Section E – Roofing,(1, 2, 3) and, Section F - Waterproofing and Insulation, (1) of FEMA's Programmatic Agreement (PA) dated August 17, 2009 and amended on July 22, 2011.

Ground disturbing activities associated with this Undertaking entail: removal and repaving of parking lot asphalt to gain positive slope to drains and away from building foundation and removal of extant tree. Under Alternates 1 and 2, remove and replace extant storm drain pipes within property and within the right-of-way adjacent the property to the southwest. Work also includes new storm drain pipe connection to extant brick manhole shaft in street.

### **Area of Potential Effects (APE)**

In accordance with Stipulation VIII.A of the 2009 Statewide PA as amended, the APE for standing structures was developed in coordination with SHPO staff. The standing structures APE is the Algiers Courthouse and adjacent right-of-way related to storm drains. The archaeological APE takes into account all ground-disturbing activities. The archaeological APE measures a total of 0.23 acres (0.09 ha), (Figure 3).

### **Identification and Evaluation**

Historic Properties within the APE were identified based on FEMA's review of the National Register of Historic Places (NRHP) database, the Louisiana Cultural Resources Map, historic map research, and agency files. This data was evaluated by FEMA using the National Register (NR) Criteria

#### *Standing Structures*

The Algiers Courthouse and surrounding properties are located within the Algiers Point Historic District a (1978) listed National Register Historic District (NRHD #78001428). The Algiers Courthouse, constructed in 1896, is a contributing resource within the district. The NRHP District is listed under Criteria A for Industry and C for Architecture. In addition, the NRHP identifies the district under the themes of Transportation, Anglo-American Architecture and Transportation Systems. The district's period of significance spans from pre-1850 to 1946.

The designer/architect for the Algiers Courthouse is not known; however, it was constructed in 1896 in a Moorish inspired style (Figures 8 and 9). The Algiers Courthouse consists of a simple "T- shaped" plan with two story brick structure and timber framed floors, ceiling and roof and a character-defining clock tower on its northeast corner (Figure 8). The exterior walls of the building consist of three wythes of brick masonry which support the perimeter floors and roof spans. The interior spans are supported by load bearing stud walls, columns and beams. The building suffered damage to the roof and masonry parapet during hurricane Katrina in 2005. The Algiers Courthouse is located in a primarily residential neighborhood with a mix of commercial and industrial structures.

Algiers Point is a unified, self-contained neighborhood of approximately 70 squares and approximately 1700 buildings, bounded on two sides by the natural boundaries of the Mississippi River, on the third side by the Southern Pacific Railroad yard (now a large open green space), and on the fourth side by Slidell Street. Architecturally it consists of Louisiana Colonial, Creole, Greek Revival, Italianate, Queen Anne, Gothic and Edwardian structures with very few buildings of later date. The preponderance of the Greek Revival and Victorian styles reflects the period of Algiers Point's growth and development, 1850-1900. The majority of the buildings are single story, although story-and-a-half, camelback and two story homes are found in the area. Dwellings range from four room doubles to large two story singles and doubles and from modest to rather grand. Virtually all residential structures are of frame construction. Algiers Point was and is comprised of all the components found in any small town and consists of a mixture of commercial, industrial, educational, religious, and residential properties. Most of the structures were built as residences and are used as such today. Commercial structures were scattered throughout the neighborhood, usually situated at corners, and often were a combination of store below and residence above. These commercial buildings continue in use today as groceries, pharmacies, a bakery, bars, and hardware stores. The bank, schools, library and churches are still used as intended.

A survey of the standing structures within the APE was conducted by a FEMA Historic Preservation Specialist on November 16, 2015. This survey of view-shed structures revealed that the surrounding neighborhood is comprised mostly of residential buildings, and one LP&L utility building on Seguin Street (Figures 19-24). The vast majority of these buildings date to within the period of significance. Most of the residential buildings have a high level of integrity. Most of the resources within the APE are considered contributing resources to the Algiers Point National Register Historic District. The exception is the LP&L utility building at west corner of Delaronde and Seguin Street (Figure 24).

#### *Archaeological Resources*

Upon consultation of data provided by SHPO on December 31, 2015 there are two recorded archaeological sites within ½ mile of the archaeological APE: 16OR93 and 16OR711 (Figure 3). 16OR93 is across the street from the courthouse and includes the city block that was once north of the courthouse, in what is now a graveled parking lot. It is a 19<sup>th</sup> to early 20<sup>th</sup> century historic site that included residences and industry. It is listed on the NRHP. 16OR711 is the location where a bottle hunter has been excavating since 2006. Little information is available, but the DOA did produce a site form based upon information in a 12/3/2015 Times-Picayune article. However, neither of these sites is located within the archaeological APE and will not be affected by the Undertaking.

Two historic resource surveys have occurred within the archaeological APE and one archaeological data recovery project has occurred directly north of the APE. The historic resource surveys include a 1982 historic resource assessment of Algiers Point by Nick Scratish (Report # 22-0812) and a 1984 archaeological potential survey of Algiers Point by David Fritz and Sally Reeves (Report # 22-0884). This report concerns itself mostly with squares that are now either in the river, under the levee, or under the gravel parking lot across from the

Courthouse. There is also a 1984 archaeological data recovery by RCGA (Report #22-0937) that cover just north of the courthouse, incorporating the city blocks that were once there, but are now just levee and gravel lot. The investigations were the result of the levee setback. These investigations identified archaeological site 16OR93.

The 1798 Trudeau map has no information regarding Algiers. The 1815 Tanesse map identifies that the archaeological APE is on land owned by Duverger, with the main building within the APE (Figure 25). The Zimple 1834 map has Algiers platted with the main Duverger building extant within the city square. The 1845 Normans map has Algiers established and the APE platted, but with no structure information. The 1878 Hardee map identifies the archaeological APE as a “filled” block. The 1883 Robinson map identifies individual buildings, including the main Duverger building, within the city square. The Duverger building served as the Courthouse from 1866 until it was destroyed by fire in 1895. The 1896 Sanborn Fire Insurance Map (Vol. 4, Sheets 363 and 364) identifies the newly constructed Courthouse and an independent Police Patrol and Jail building south of the courthouse within the APE. The 1909 Sanborn Fire Insurance Map (Vol. 7, Sheets 699) identifies that the jail is now in the back of the courthouse, and what was the Police Patrol and Jail building is identified only as a stables/carriage house. The 1937 Sanborn Fire Insurance map is similar to the 1909 map. Reviews of historic USGS quads and Mississippi River Commission maps provide no additional information. The project is located within the Orleans Parish High Archaeological Probability Zone. The soils in the APE are Convent-Commerce-Sharkey, a recent alluvium.

While some of the ground disturbance is in previously disturbed ground and the entire archaeological APE is covered in either asphalt or concrete; the new water line and re-sloping of the parking lot has the potential to occur in undisturbed ground. Additionally, the replacement of sewer/water lines has the potential to be wider and deeper than the original lines. Therefore, that action also has the potential to disturb undisturbed ground.

Based upon available evidence there is a reasonable potential to encounter intact archaeological deposits. FEMA EHP has discussed this potential with both the LA SHPO and federally recognized Tribal governments in two monthly conference calls (1/12/2016 and 2/16/2016). Based on these discussions and the recognized potential, FEMA EHP is recommending conditions to evaluate deposits and monitor the construction work.

### **Copies or Summaries of Views by Consulting Parties and the Public**

FEMA is forwarding this letter and the attached documentation to the Preservation Resource Center, Louisiana Landmarks Society, Foundation for Historical Louisiana, Historic District Landmark Commission, Old Algiers Civic Association, Old Algiers Civic Association, Algiers Point Association, Algiers Historical Society, Friends of the Algiers Courthouse, and the Riverview Neighborhood Association for their review and comments as required by 36 CFR §800.4(d)(1). FEMA requests that these potential consulting parties provide comments within the 15 days provided by the 2009 Statewide PA as amended.

### **Assessment of Effects to Historic Properties**

Based on the aforementioned identification and evaluation, FEMA has determined that there are two historic properties: Algiers NRHD and Algiers Courthouse, as defined in 36 CFR 800.16(1) within the APE. The repair and rehabilitation work proposed for the exterior of the Algiers Courthouse will not adversely affect the Algiers NRHD . The Algiers Courthouse is a

contributing resource to the Algiers NRHD. In order to repair the Algiers Courthouse for continued active use, the Applicant is proposing to carry out a repair scope of work that largely meet the Secretary of the Interior's Standards for Rehabilitation. However, one work item, proposed as part of the masonry repair, is more invasive than the Secretary of the Interior's Standards for Rehabilitation generally recommends.

Masonry Anchors, as specified (*Masonry Spec's, page 04 01 00-8: 1. Part 2- Products 2.4 Masonry Elements, A. Patch Anchors, B. Anchor Installation, D. Epoxy Anchors Adhesives and E. Metal Attachments*) are not a preferred SOI treatment as drilling historic masonry is required. However, review of the project's Construction Documents (CDs) also cites that the construction phase of the work related to masonry will retain the services of a qualified masonry conservator and mason with several years of experience on historic masonry structures. The various sections of the CDs specifications also reference the National Park Service Preservation Briefs on masonry treatment as the standard for work execution.

FEMA has applied the Criteria of Adverse Effect (36 CFR 800.5(a)(1), and determined that the proposed repair to this historic property will not alter, directly or indirectly, any of the characteristics that qualify it for inclusion in the NRHP in a manner that will diminish its integrity of location, setting, design, materials, workmanship, feeling, or association *if the following conditions are met :*

1. All masonry restoration and rehabilitation will be conducted in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties and *Preservation Brief #1- Assessing Cleaning and Water-Repellent Treatments for Historic Masonry Buildings and #2- Repointing Mortar Joints in Historic Masonry Buildings* as outlined in the Project Specification, Maintenance of Masonry, 1.3 Reference Standards, B. National Park Service (NPS), items 1, 2 & 3, page 04 00 00-2.
2. All masonry work will be conducted under the supervision of a masonry conservator or experienced mason as outlined in the Project Specifications, Maintenance of Masonry, 1.8 Quality Assurance, A. Restoration Specialist Qualifications, items 2 & 3, page 04 01 00-3.
3. The use of masonry anchors shall be limited in scope, based on localized material conditions, and will only be used if standard brick repair or re-setting cannot be achieved through standard masonry treatment techniques. See, for example: *A Glossary of Historic Masonry Deterioration Problems and Preservation Treatments, Department of the Interior National Park Service Preservation Assistance Division, 1984. Compiled by Anne E. Grimmer (pages 50 &-51 and 56 to 58). (<http://www.nps.gov/tps/how-to-preserve/preservedocs/Historic-Masonry-Deterioration.pdf>).*

Additionally, FEMA has determined that there is potential to affect an, as yet, unrecorded archaeological site. The following condition will be applied to the grant to address the potential for archeological deposits.

4. Evaluation and Monitoring before or during construction. FEMA and the Applicant will ensure that the proper evaluation and monitoring of the site occurs before and during the construction. FEMA will ensure that the scope of archaeological investigations is shared with the Applicant, SHPO, and Tribes prior to initiation.

At a minimum this will require:

- The presence of an archaeological monitor that meets the Secretary of Interior standards during all ground disturbing activities in the APE;
- That fieldwork follow the guidelines provided by the Louisiana Division of Archaeology (<http://www.crt.state.la.us/cultural-development/archaeology/section-106/field-standards/archaeological-monitoring/index> and <http://www.crt.state.la.us/cultural-development/archaeology/section-106/field-standards/phase-ii-archaeological-testing/index>);
- Avoidance of areas determined to contain possible archaeological resources until the area is evaluated and intact resources are sufficiently documented and approved by FEMA EHP in consultation with the LA SHPO's office and/or Tribal Representative. The standard for documentation will be based on recommendations provided by the principal investigator of the archaeological monitoring.
- Production of a monitoring report for submission to FEMA that meets Louisiana Division of Archaeology's report standards (<http://www.crt.state.la.us/cultural-development/archaeology/section-106/report-standards/monitoring-projects/index>).
- Curation of all artifacts generated by the project, including those collected by FEMA during the initial site assessment, in compliance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and the Louisiana Division of Archaeology.
- If unmarked graves are present, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required.

Conditions 1-4 will be included in the approved Project Worksheet to ensure compliance with Section 106 of the National Historic Preservation Act and therefore, FEMA has determined a finding of **No Adverse Effect to Historic Properties with Conditions** for this Undertaking. FEMA is submitting this Undertaking to you for your review and comment. FEMA requests your comments within 15 days.

We look forward to your concurrence with this determination. Should you have any questions or need additional information regarding this Undertaking, please contact me at (504) 247-7771 or [jerame.cramer@fema.dhs.gov](mailto:jerame.cramer@fema.dhs.gov); or Kathryn Wollan, Lead Historic Preservation Specialist at (504) 289-1941 or [kathryn.wollan@fema.dhs.gov](mailto:kathryn.wollan@fema.dhs.gov), or Jason Emery, Lead Historic Preservation Specialist at (504) 570-7292 or [jason.emery@fema.dhs.gov](mailto:jason.emery@fema.dhs.gov).

Sincerely,

Jeramé J. Cramer  
Environmental Liaison Officer  
FEMA-DR-1603-LA, FEMA-DR-1607-LA

CC: File  
Division of Archaeology Reviewer  
Division of Historic Preservation Reviewer  
Enclosures

The Division of Archaeology Reviewer concurs with the finding that there will be **No Adverse Effect to Historic Properties with Conditions** as a result of this Undertaking.

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Division of Archaeology Reviewer

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Date

The Division of Historic Preservation Reviewer concurs with the finding that there will be **No Adverse Effect to Historic Properties with Conditions** as a result of this Undertaking.

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Division of Historic Preservation Reviewer

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Date

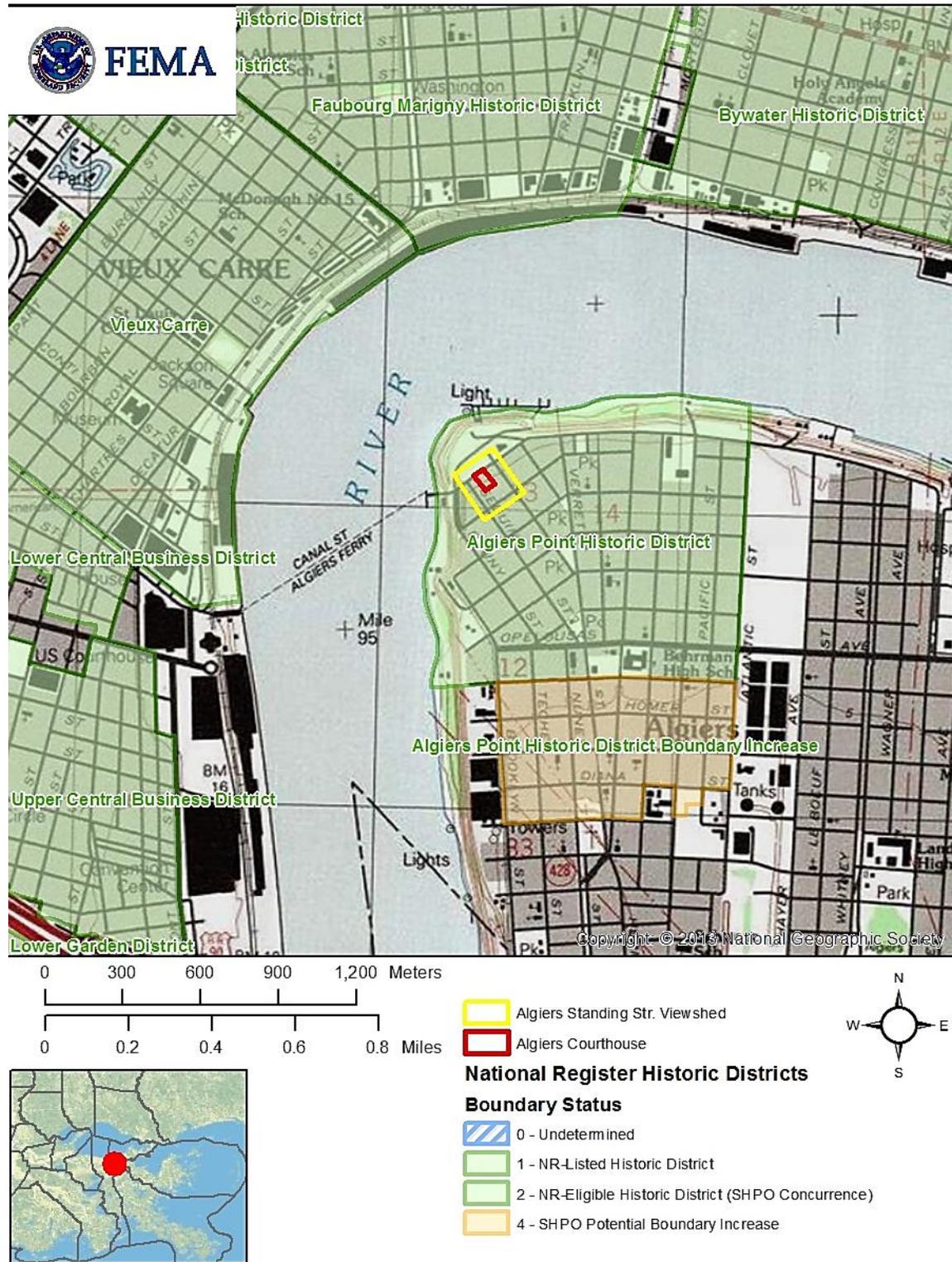


Figure 1: A portion of the New Orleans East 7.5' USGS topographic map showing the location of the Algiers Courthouse and Historic Districts.

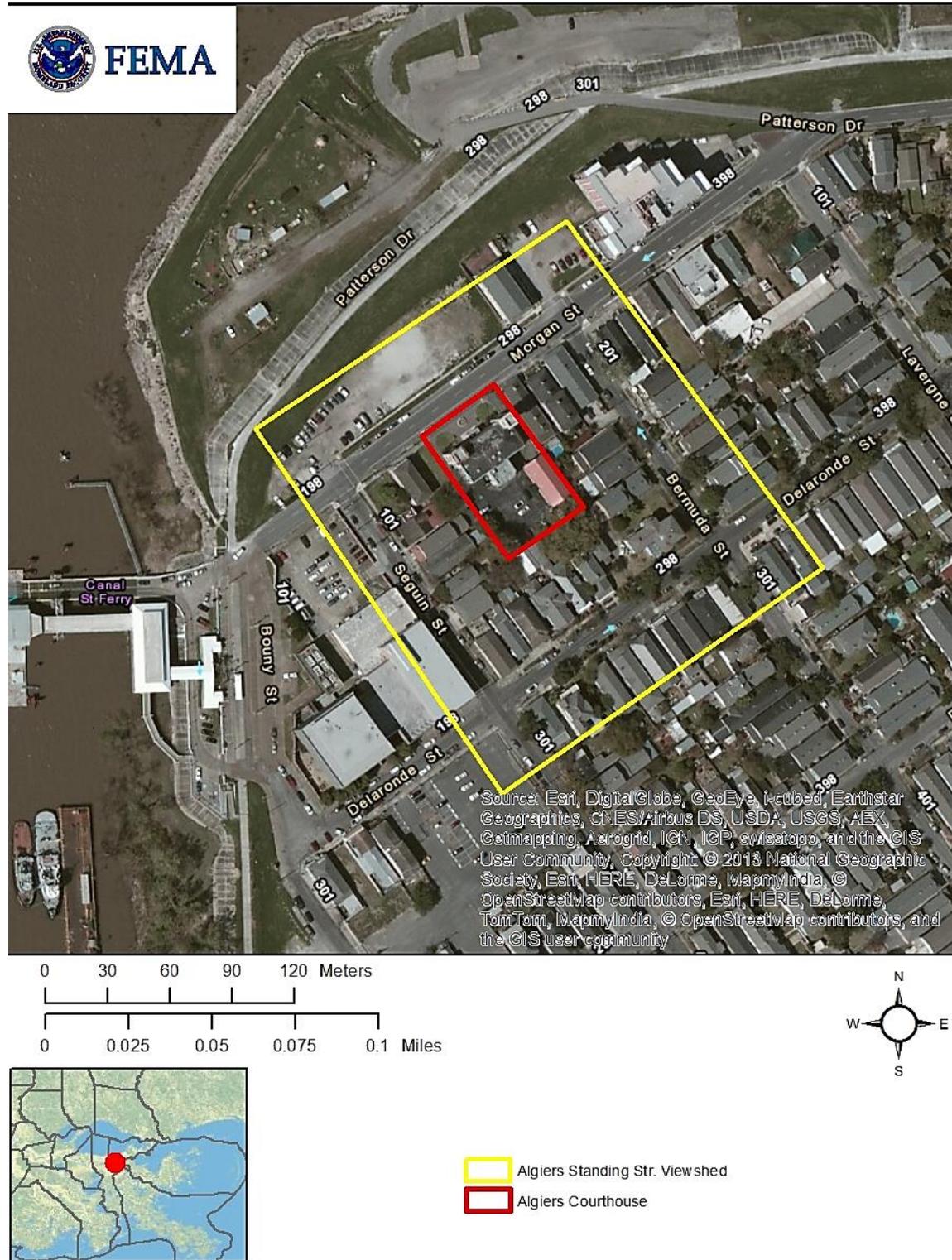


Figure 2: Aerial photograph showing the location of the Standing Structure APE in yellow and the Archaeology APE in yellow.



Figure 3: Identified archaeological sites within a ½ mile of the Archaeological APE in yellow. Data provided by Louisiana Division of Archaeology.

CONFIDENTIAL DO NOT DISCLOSE. This consultation letter was prepared by the Environmental and Historic Preservation section of the Federal Emergency Management Agency or their contractor. This map is protected from public disclosure in accordance with Section 304 of the National Historic Preservation Act, 16 U.S.C. 470, and 36 CFR 800.11 (c).



**Figure 4:** Site: SW Elevation with stone pavers to be removed and replaced, Alternate #2. Note ADA Ramp at center with access from parking lot.



**Figure 5:** Site: SE asphalt parking lot to be removed and replaced for positive drainage, Alternate #2. Note trees on right to be removed.



**Figure 7:** Site: NE elevation with stone pavers. Inset of damaged pavers and utility vault covers. Pavers to be removed and replaced, Alternate #2.



**Figure 8:** Courthouse NW (Front) Elevation on Morgan Street



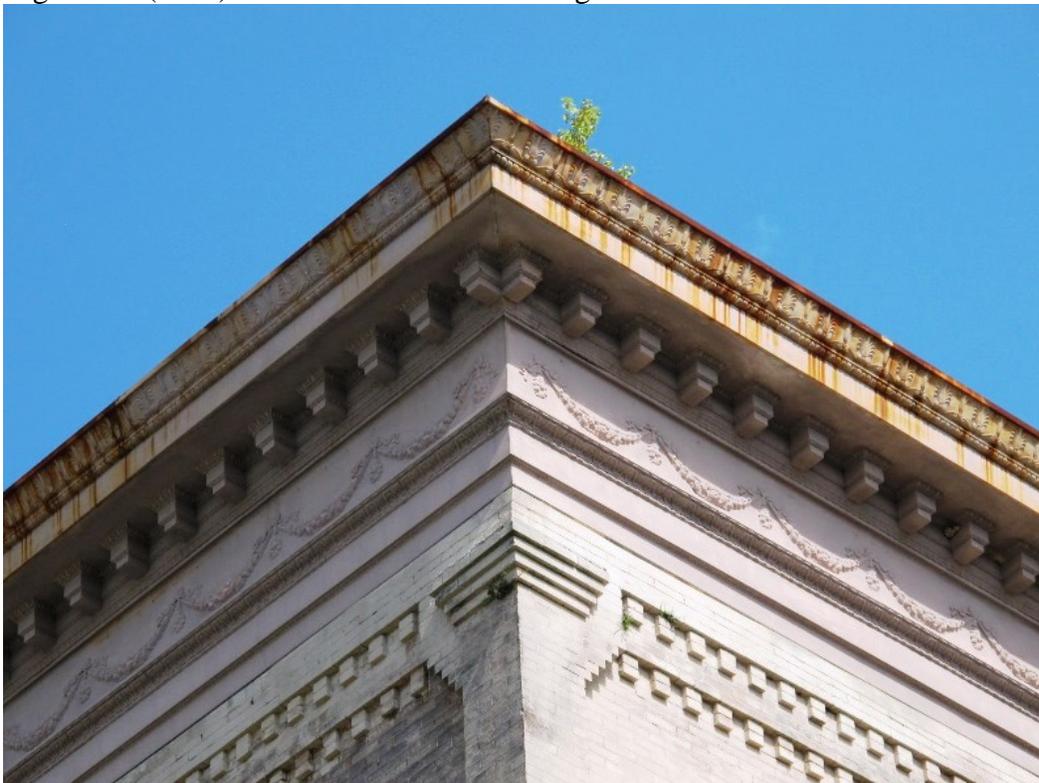
**Figure 9:** Courthouse SE (Rear) Elevation. Note Carriage House on the right.



**Figure 10:** Partial SW Elevation of recessed double entry doors and stone stairway.



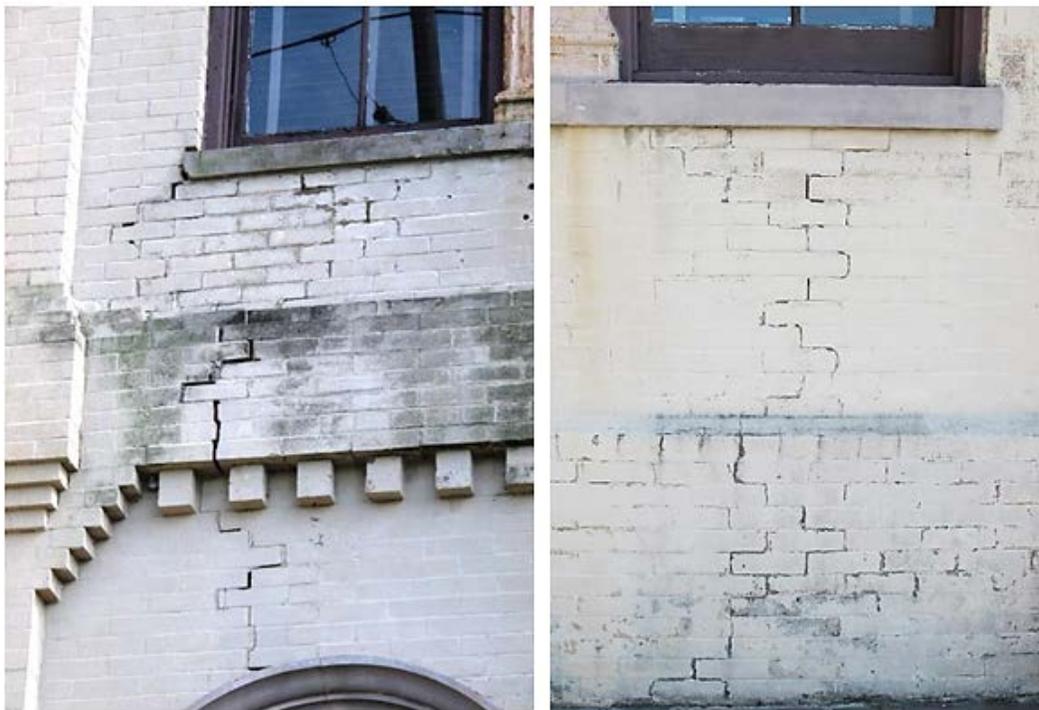
**Figure 11:** Left: Bell Tower on NE (Front) corner of Courthouse. Note crenelated brick parapet damage and damage to cornice metal garlands in cornice architrave. Right: SW (front) corner of tower with damaged metal cornice.



**Figure 12:** SW (front) corner of tower with damaged metal cornice to be replaced, in-kind.



**Figure 13:** Typical damaged roof metal cornice entablature to be repaired and/or replaced, in-kind.



**Figure 14:** Typical brick wall joint cracks and detail of masonry brick failure in walls.



**Figure 15:** Courthouse 2<sup>nd</sup> floor main corridor, typical ceiling and plaster crown molding water damage.



**Figure 16:** Courthouse 2<sup>nd</sup> floor main corridor typical plaster crown molding water damage.



**Figure 17:** Courthouse 2<sup>nd</sup> floor, detail of typical ceiling and plaster crown molding water damage. Note, ceiling is plaster board with plaster finish, both non-historic.



**Figure 18:** Courthouse 2<sup>nd</sup> floor NE corner office typical plaster crown molding water damage.



**Figure 19:** Courthouse NRHP District Context: Viewing NE down Morgan Street.



**Figure 20:** Courthouse NRHP District Context: Viewing SW up Morgan Street at Bermuda Street.



**Figure 21:** Courthouse NRHP District Context: Housing along Bermuda Street NE side viewing SE.



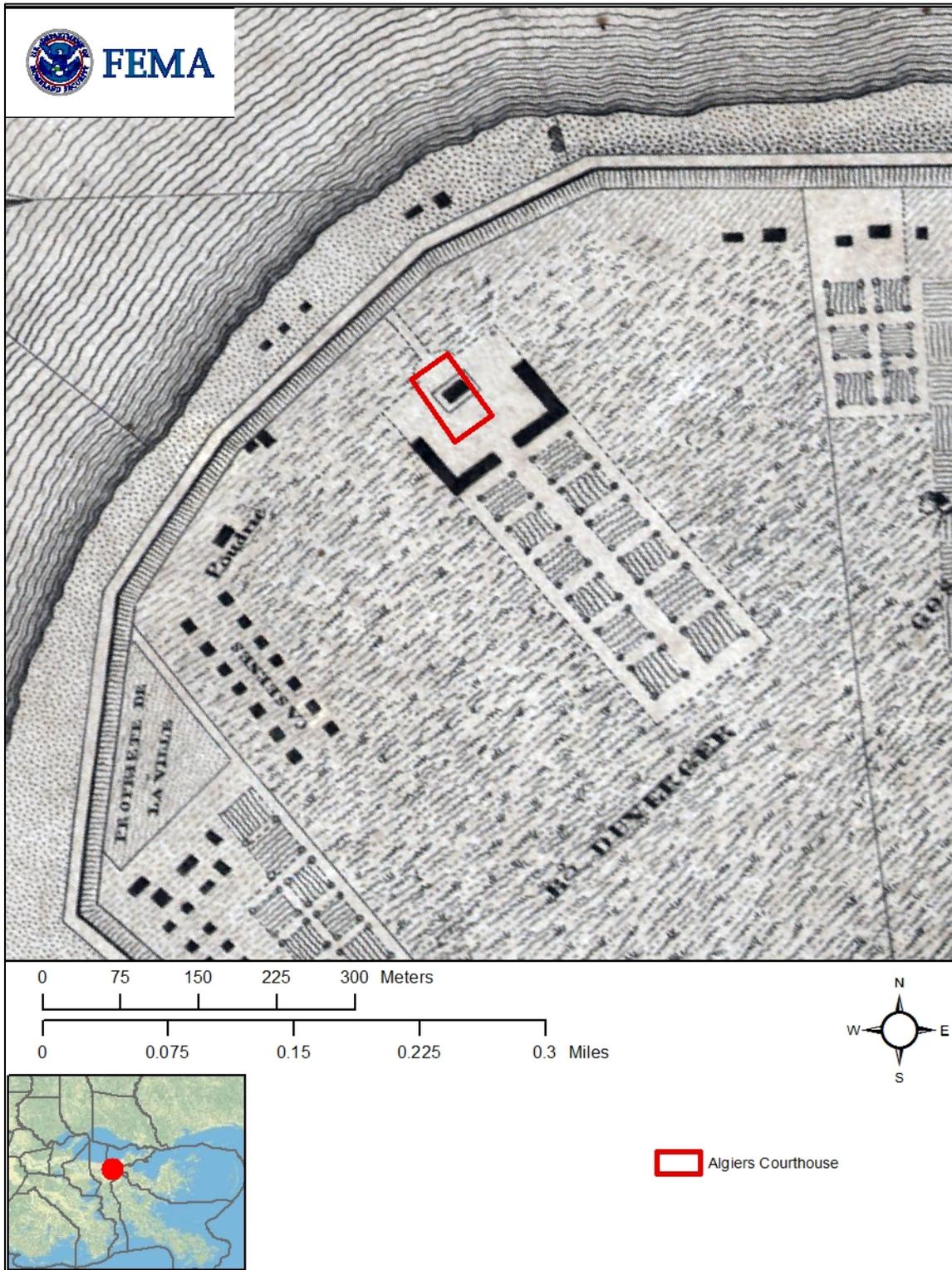
**Figure 22:** Courthouse NRHP District Context: Queen Anne Shotgun housing along SE face of Delaronde Street.



**Figure 23:** Courthouse NRHP District Context: Housing along NE side of Seguin Street viewing north.



**Figure 24:** Courthouse NRHP District Context: LP&L utility building at west corner of Delaronde and Seguin Street viewing toward NW.



**Figure 25:** Portion of Tansese's 1815, *Map of New Orleans and Its Environs* showing the archaeological APE overlain. Note the Plantation great house, flanked to the rear by two outbuildings.