

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF LOUISIANA

YOLANDA ANDERSON, et al.,

Plaintiffs,

v.

ALPHONSO JACKSON, et al.,

Defendants.

)
)
) CIVIL ACTION NO. 06-3298

)
) SECTION "B"
) JUDGE LEMELLE

)
) MAGISTRATE 5
) MAG. CHASEZ

DECLARATION OF JOHN E. FERNANDEZ

I, John E. Fernandez, declare as follows:

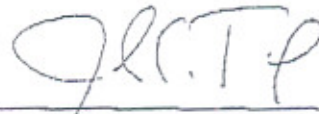
1. I am an Associate Professor of Architecture, faculty member of the Department of Architecture, Building Technology Program, at the Massachusetts Institute of Technology. My expertise is in the lifecycle performance and composition of materials used for buildings. I have been conducting research, publishing and teaching at MIT since 1999. I am a registered architect in the State of New York and have a Bachelor Degree from MIT (1985, Department of Architecture) and a Master of Architecture from Princeton University (1989, School of Architecture).
2. These preliminary findings are the result of my assessment of public housing units in New Orleans conducted during the five day period, October 16 to 20, 2006. My consultant services in the production of this assessment were commissioned by the Plaintiff in the case of Anderson, et al. v. Jackson, et al.
3. The intention of the survey was to identify damage to both the buildings and individual residential units that can be directly attributable to Hurricane Katrina. The focus of my survey was the assessment of the physical structure and shell of the buildings and the interior conditions of the residential units themselves.
4. I conducted a visual survey of 140 units in four public housing projects: Lafitte, C.J. Peto, B.W. Copper, and St. Bernard.
5. My inspection and assessment found that no structural or nonstructural damage was found that would reasonably warrant any cost-effective building demolitions. While I found a range of Katrina-related damage to these buildings, I did not find any conditions in which the integrity of the structure and exterior envelope of the buildings or the interior conditions of residential units themselves could not be brought to safe and livable conditions with relatively minor investment.

6. I also found that there was only a minimum use of cellulose-based materials (wood in rough openings and baseboards and paper in the rare use of gypsum wall board for example). This lack of organic material significantly aided in the very low incidence of moisture retention in the walls and floors of the buildings.
7. LaFitte: I found damage at LaFitte to be minor and consisted primarily of damage to windows and doors from high winds and interior damage from first floor flooding. I found no damage to the structure. The brick masonry is in good condition, showing no signs of Katrina-related damage. Roof damage in several buildings can be easily repaired. Many units only require thorough cleaning to achieve safe and livable conditions. Several units I inspected are essentially in "move-in" condition.
8. C.J. Pete: I found the foundation, brick masonry wall and roofs of buildings at C.J. Pete to be substantially intact and recoverable. Despite missing windows and the many holes in the roof, I did not see widespread water damage to units within. Many units are in good condition. Several I inspected are essentially in "move-in" condition, upon thorough cleaning and some repair to windows. Most interior surfaces of units require only minor plaster patching, baseboard replacement and painting. However, vandalism and theft is apparent and the buildings need to be secured to prevent further damage.
9. B.W. Cooper: My inspection of B.W. Cooper shows that these buildings resisted damage from Katrina quite well. I found the foundation, structure, exterior wall and roof to be substantially intact. The units experienced only minor damage commensurate with the level of flooding in the interior. In first floor units damage from flooding requires replacement of portions of flooring, wood baseboards, plaster walls, electrical sockets and wiring to achieve a safe and livable condition. In upper units, minor repairs and thorough cleaning alone is required.
10. St. Bernard: I found the foundation and brick masonry of St. Bernard to be in good condition. However, the roofs of many buildings are damaged and are resulting in water entering the units below. This damage can be easily repaired. First floor units that were flooded require renovation to replace portions of baseboards, plaster walls, ceilings, and electrical wiring. I found second and third floor units to be in good condition. Several of these units were in very good "move-in" condition, requiring only a thorough cleaning. Those with water damage from above require some replacement of ceiling and flooring materials.
11. Preliminary general conclusions that pertain to all four housing projects can be arrived at because of the following determining factors: all four projects were constructed of essentially the same materials in the structural and nonstructural portions of the buildings, all four projects were similarly planned in long blocks of units with interspersed courtyards, and damage to units in all projects was primarily dependent on the presence of flooding in the unit.
12. Therefore, the general conclusions are: demolition of any of the buildings of these four projects is not supported by the evidence of the survey, replacement of these buildings

with contemporary construction would yield buildings of lower quality and shorter lifetime duration, the original construction methods and materials of these projects are far superior in their resistance to hurricane conditions than typical new construction, and with renovation and regular maintenance, the lifetimes of the buildings in all four projects promise decades of continued service that may be extended indefinitely.

I declare under penalty of perjury, and pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed on October 23, 2006



JOHN E. FERNANDEZ
Associate Professor
Massachusetts Institute of Technology