

2021

West Bank & Vicinity GRR Appendix L – Coordination



**US Army Corps
of Engineers®**
New Orleans District

U.S. Army Corps of Engineers, New Orleans
District

Non-Federal Sponsor: Coastal Protection and
Restoration Authority Board of Louisiana

March 2021

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WEST BANK & VICINITY GRR APPENDIX L – COORDINATION

1 AGENCY MEETINGS

Below are a list of key meetings that were held with interagency partners and cooperating agencies. Full meeting minutes are documented in the project file and available upon request.

Date	Summary
24 October 2018	Webinar with Resource Partners Information gathering, identify additional resource needs, discuss One Federal Decision, Staff from CEMVN, CEMVS, Louisiana Department of Wildlife and Fish, USGS, CPRA, Louisiana Department of Culture, Recreation and Tourism, NOAA, USEPA. Slides from webinar provided below.
6 November 2018	Meeting with State Agencies. Notes provided below
7 November 2018	Meeting with Federal Agencies. Notes provided below.
31 July 2019	USACE and NOAA staff call to discuss how to work through the One Federal Decision Process
13 November 2019	Webinar with Resource Partners Inform the resource partners on the TSP and upcoming public review Staff from CEMVN, CEMVS, Louisiana Dept. of Wildlife of Fish, LDNR, NMFS, and USFWS attended. Slides from webinar provided below.

1.1 24 OCTOBER 2018 – RESOURCE PARTNER WEBINAR

DATA COLLECTION (PROBLEMS, NEEDS, OPPORTUNITIES) MEETING

**LAKE PONTCHARTRAIN & VICINITY
WEST BANK & VICINITY
GENERAL RE-EVALUATION**

"The views, opinions and findings contained in this report are those of the author(s) and should not be construed as an official Department of the Army position, policy or decision, unless so designated by other official documentation."

AGENDA

9:00 Introductions – **Please type in the chat box your name and agency**

9:15 Purpose and Outcome

9:30 Project Overviews (Drouant)

- Lake Pontchartrain & Vicinity
- West Bank & Vicinity

10:00 SMART Planning & NEPA Coordination (McCain)

10:15 One Federal Decision (Runyon)

10:30 Next Steps (Runyon)

10:45 Question/Answer/Open Discussion

File Name



INTRODUCTIONS

Lake Pontchartrain & Vicinity

Project Manager: Bradley Drouant
Environmental Lead: Kip Runyon

West Bank & Vicinity

Project Manager: Bradley Drouant
Environmental Lead: Kat McCain


PURPOSE & OUTCOME

PURPOSE:

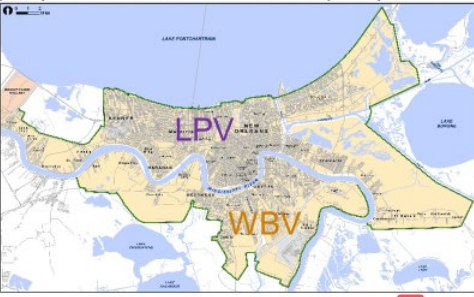

- To initiate data collection, identify partners, and discuss needs on supplemental studies for the USACE New Orleans District
- Discuss information needed to make a determination of level of investigation and need for EIS
- Discuss agency participation and expectations

EXPECTED OUTCOME:

- Inform agencies of the upcoming planning charette and needs for ongoing agency coordination moving forward




FUTURE LEVEE LIFTS GENERAL REEVALUATION REPORTS FOR LAKE PONTCHARTRAIN & VICINITY (LPV) AND WEST BANK & VICINITY (WBV)

PROJECT OVERVIEWS

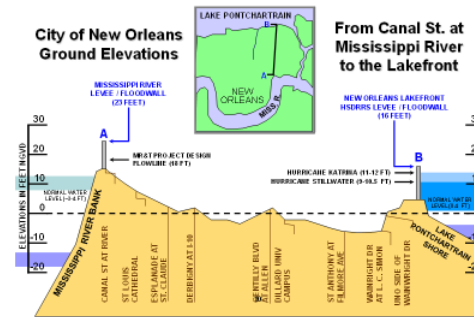

- Hurricane and Storm Damage Risk Reduction System (HSDRRS) authorization did not authorize future levee lifts to sustain risk reduction required for participation in the National Flood Insurance Program
- Current studies seek to determine if work necessary to sustain the 1% level of risk reduction is technically feasible, environmentally acceptable, and economically justified.
- General Reevaluation: a study to affirm, reformulate, or modify an existing plan. Similar to a feasibility study.



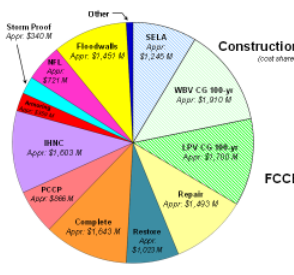
NEW ORLEANS TOPOGRAPHY

City of New Orleans Ground Elevations


From Canal St. at Mississippi River to the Lakefront

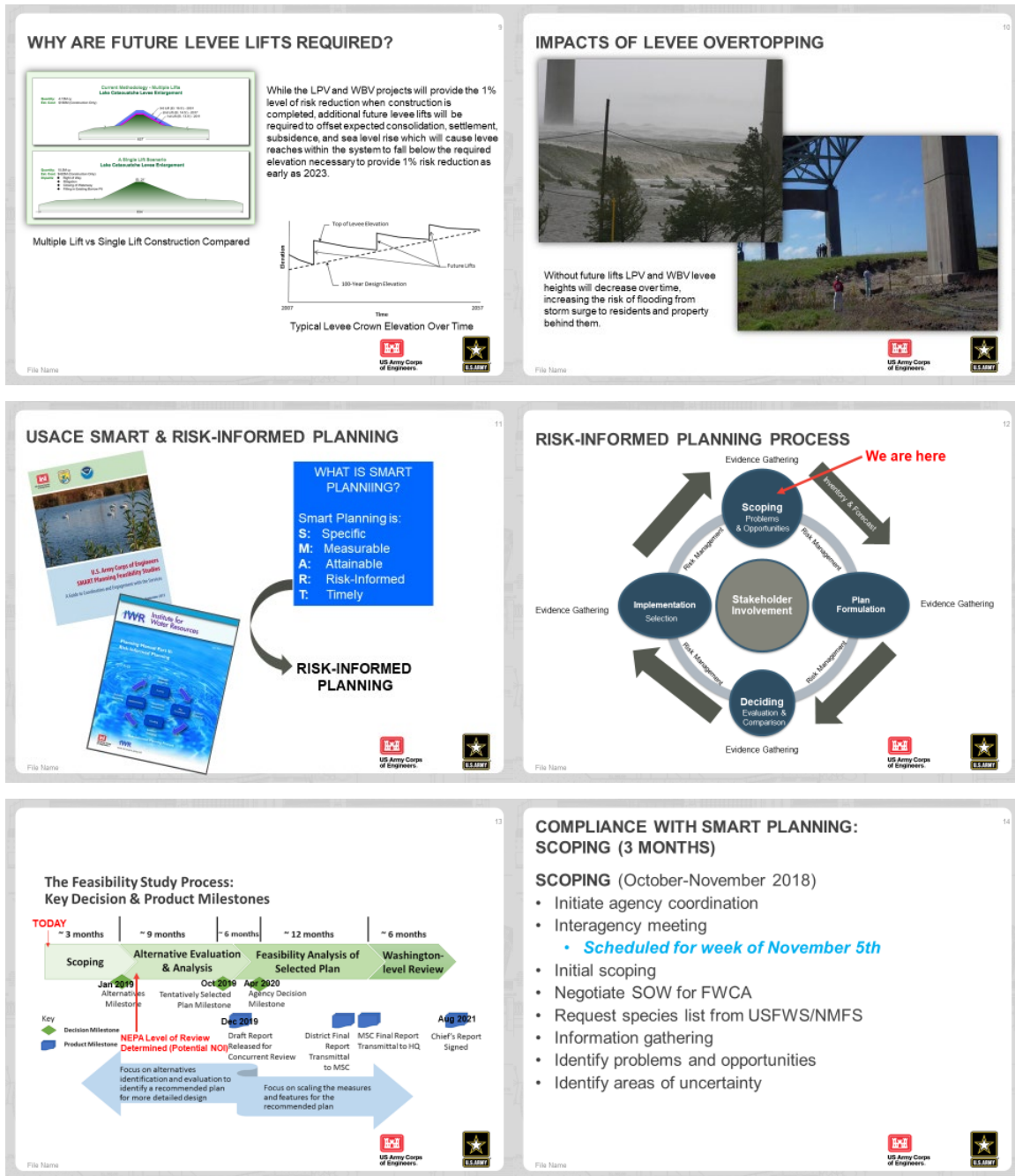



HURRICANE STORM DAMAGE AND RISK REDUCTION SYSTEM (HSDRRS) FUNDING



COMPONENT	\$ (M)
SELA (Interior Drainage)	\$1,245
WBV 100-year Level of Protection	\$1,910
LPV 100-year Level of Protection	\$1,700
Repair Existing System	\$1,493
Restore to Design Height	\$1,023
Complete Authorized System	\$1,643
Permanent Pump Stations	\$866
IHNC	\$1,603
Selective Armoring	\$339
Storm-proof Existing Pump Stations	\$340
Incorporate non-Fed Levees in Plaquemine Parish	\$721
Reinforce or Replace Floodwalls	\$1,451
Other	\$130





COMPLIANCE WITH SMART PLANNING: SCOPING (3 MONTHS)

SCOPING (November 2018-January 2019)

- Brainstorm solutions to the identified problems
- Invite appropriate agencies and open dialog for FWCA, ESA, Section 106 coordination
- Compile public/agency/tribal concerns
- Identify significant resources to consider
- Identify resources that may require mitigation
- Inventory potential models
- Collaborate on environmental screening criteria
- Develop initial array of alternatives
- Hold Alternatives Milestone [**14 January 2019**]
- Determine level of NEPA investigation/Potential EIS

File Name



COMPLIANCE WITH SMART PLANNING – ALTERNATIVE EVALUATION & ANALYSIS (9 MONTHS)

Moving towards a Tentatively Selected Plan (TSP)

(February – October 2019)

- If EIS, publish NOI in Federal Register
- USACE provides Biological Assessment
- Develop EFH Assessment
- 404(b)1 analysis
- SHPO/THPO coordination
- HTRW Phase 1, if needed
- Identify mitigation per alternative
- Describe environmental impacts per alternative

Prior to TSP Milestone

- USFWS provides Draft FWCA Report [**15 Sept 2019**]

Hold TSP Milestone [**15 October 2019**]

File Name



COMPLIANCE WITH SMART PLANNING – FEASIBILITY LEVEL ANALYSIS (5 MONTHS)

Moving from TSP to Agency Decision (Nov 2019-April 2020)

- Public/agency concurrent reviews (If EIS, NOA) **Dec 2019-January 2020**
 - Release of Draft Integrated Report with draft FONSI (if EA); EIS – File Draft with EPA
 - Release of BA to USFWS/NMFS
 - USFWS/NMFS response to BA (30 days)
 - ESA formal consultation begins, if required
 - Public meetings
- Identify relevant public/agency/tribal comments and develop strategies to resolve
- Conduct cultural resources field investigations, as needed
- Hold Agency Decision Milestone [**April 2020**]

File Name



COMPLIANCE WITH SMART PLANNING – FINAL REVIEW (15 MONTHS)

Getting to Chief's Report (May 2020-August 2021)

- ESA formal consultation continues, if required
- Final FWCAR incorporated with responses
- NEPA comment/response documented
- NEPA conclusions (FONSI/ROD)
- If EIS, release final (file feasibility report with EPA – Notice of Availability)

Chief's Report [**August 2021**]

File Name



ONE FEDERAL DECISION

Executive Order 13807 – Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects

- Signed 15 August 2017
- Policy...
 - (f) conduct environmental reviews and authorization processes in a coordinated, consistent, predictable, and timely manner...
 - (g) speak with a coordinated voice when conducting environmental reviews and making authorization decisions; and
 - (h) make timely decisions with the goal of completing all Federal environmental reviews and authorization decisions for major infrastructure projects with 2 years.

File Name



ONE FEDERAL DECISION – USACE IMPLEMENTATION GUIDANCE – SEPTEMBER 2018

- Coordinated Environmental Review
 - All Federal, Tribal, and State agencies required to conduct or issue a review for the study should be invited to serve as either a cooperating agency or a participating agency for the environmental review process.
 - Use risk-informed decision making to conduct environmental compliance concurrently with feasibility study – Use readily available information to gather only the information necessary for the next decision **based on feedback from coordinating with cooperating and participating agencies...**
- Develop and follow an environmental review and authorization schedule

File Name



ONE FEDERAL DECISION – USACE IMPLEMENTATION GUIDANCE (continued)

- Recommends early interagency coordination meeting and initiation of early scoping prior to NOI issuance (if applicable)
- 2-year timeline – from date of publication of NOI (if applicable) to date of District Commander's transmittal of the final feasibility report.

CIVIL WORKS PLANNING PROCESS

USACE Implementation Guidance for Feasibility Studies establishes the EO 13807 timeline within a 3 year feasibility study timeline

NEXT STEPS – NEAR TERM

- Participate in Planning Charette November 5-7
 - Come prepared to discuss problems and possible solutions
 - Data gathering

QUESTIONS??

→ If you haven't done so already, please type in your name and agency in the chat box

1.2 6 NOVEMBER 2018 – STATE AGENCY MEETING

State Resource Agency Meeting Notes

7 November 2018

9:00AM

USACE: Kip Runyon, Monique Savage, Michelle Kniep, Matt Jones, Brian Johnson, Laura Lee Wilkinson, Brad Drouant, Frank Spiess, Terry Birkenstock

LDNR, Consistency Section – Jeff Harris

PHONE:

LWLF – Barry Hebert

LWLF - Dave Butler

LSHPO - Rachel Watson

LWLF - Zack Chain

Kip: Intros

Brad: Study/Project Intro

Kip: 13807-One Federal Decision Details

Kip: Existing NEPA documentation

Data/Coordination Needs:

- Planning Aid report from Fish and Wildlife in the next few months (from yesterday)
- Phone: Dave Butler can provide information on bald eagles and colonial nesting water birds; Zack from Ecological Services can provide information on invasive species
- Jeff: A lot of good information on SONRIS (Strategic Online Natural Resources Information System); www.sonris.com
- Thoughts on borrow sites: if commercial borrow sites are used they will not need coastal zone clearance;
- Mitigation – if mitigation is necessary, typically DNR goes along with what we propose as long as NEPA compliant
- DNR cares about transportation even if borrow isn't from coastal zone
- If proposed action ends up being similar to what was done before, DNR could handle it as a modification of the existing consistency determinations done for the IERs rather than new determinations – would only work if minor changes; review process is the same for modification minus the requirement for public review
- Process requires that the action be consistent with Coastal Management Program. Consistency determination is typically presented to DNR when plans can still change. Typical review is 60-75 days at DNR. They have an issue with condemnation. As soon as we have the footprint of our potential impact, provide shapefile for consistency determination.
- Submit consistency determination electronically via email
- Mitigation for borrow sites - 3 options: Do it yourself, in lieu fee, or purchase credit at mitigation banks; there is limited availability at mitigation banks currently, more coming online; shouldn't have issues if prior developed, access routes, staging areas to the extent that they impact wetlands – if we can put them in already impacted sites, that would be great
- Zach - Need to avoid and minimize impacts to Salvador WMA in WBV area and Bayou St. John in LPV
- Rachel agreed – Avoid issues around Bayou St. John; bigger cultural issue if uplands are impacted by additional borrow sites. If structures are impacted, it could also be an issue. Coordinate with the tribes... Tribes may have additional concerns.
- Oyster seed grounds and leases: Water Bottom Assessment POC: 225-765-2386
Christy McDonough – only need assessment if in seed ground area; shouldn't be an issue for us – based on information in SONRIS, we aren't likely to impact – closest seed grounds and leases are in Lake Borgne
- Commercial Fisheries: don't impact business any more than you have to
- Recreation: avoid and minimize boat dock impacts, etc.
- LDNR generally accepts WVA results

Monique: Plan Formulation

- CPRA would be the first place to go for what works and what has not worked and what the costs are.
- Making marshes is not difficult if you have sediment. Possible to use existing dredge material from the harbor for marsh creation

- Rachel SHPO: a lot of the remaining high ground has archaeological resources – something to be aware of when considering nature-based features
- (Nonstructural): No major issues...superfund site on the northshore...there are existing projects like diversions we should avoid impacting; unanticipated discovery of human resources (pre-historic or European remains), small family cemeteries, etc. happens more frequently than you might think. 1. Unmarked burial act, 2. Land can't be re-purposed without removing remains.
- Nothing major from DNR Coastal: want to protect people from flooding...make sure to get the material NOT from bottomland hardwoods
- Team would prefer invitation for monthly teleconference meetings to be kept in the loop

Laura Lee will provide LDEQ contact information – we may want to touch

1.3 7 NOVEMBER 2018 – FEDERAL AGENCY MEETING

- a. Attendees
 - i. Corps: Kip Runyon, Brian Johnson, Karla Sparks, Laura Wilkinson Wolfson, Frank Spiess, Michelle Kniep, Matt Jones, Monique Savage, Joe Jordan, Brad Drouant, Elizabeth “Libby” Behrens, Jason Emery, Kevin Harper
 - ii. National Park Service: Kelly Latenhofen, Guy Hughes
 - iii. USFWS: Barret Fortier (web meeting), Dave Walther
 - iv. NMFS: Craig Gothreaux
 - v. USGS: Ann Hijuelos
- b. Other agencies are getting similar guidance on EO 13807
- c. Borrow. For HSDRRS we committed to not impacting wetlands
 - i. However, since we don't have alternatives yet, we cannot commit to no wetland impact at this time.
- d. ROW was purchased for future levee lifts
 - i. There is a Planning Aide Letter from 2007
 - ii. Dave (USFWS) said that they are probably going to resubmit a list of ranked borrow sites.
 - iii. Footprint, physical location of the project and then the ROW, built to the ROW. Future mitigation has been identified for the 2057, hierarchy for borrow. Resubmit a new that lays this out. GIS map national landcover and crossed it with soil maps to minimizing impacts to wetlands and forested habitat. Latest information was 2007. May look at with state agencies.
- e. CED estimated impacts of future lifts but only mitigated for actual footprint constructed so far
 - i. Are we considering raises to hard structures?
 - ii. USACE: No.
- f. Foreshore protection on lake front(s)
 - i. Water access and dredging requires NMFS coordination that might take a long time – Lake Pontchartrain east of the Causeway is Critical Habitat for the Gulf Sturgeon. Formal consultation for Gulf Sturgeon impacts would take 12 to 18 months. Construction consideration for water access.
 - ii. Foreshore protection access through the water, dredging was involved. Probably have to put more rock. Not sure whether there is thru land and water.

- g. FWS recommends not using IPAC – use SLOPES instead (Standard Local Operating Procedures for Endangered Species)
- h. Need a new Phase I HTRW
- i. West Shore Lake Pontchartrain project will be using a huge amount of borrow material which may impact us - Will likely use all Bonnet Carre borrow material.
- j. 404c area. Need to try to avoid any more impacts to the Bayou aux Carpes Clean Water Act Section 404c area for WBV.
 - i. EPA is contact on 404(c) area
 - ii. Guy (National Park Service) will share EPA POC with USACE
- k. Impacts to Bayou Sauvage National Wildlife Refuge in NE corner of LPV must be mitigated within the Refuge. In general, desire to keep mitigation for impacts to public lands located on those lands or added to them (stay in public use).
- l. Cultural IER reports for those components, update that with the data LA State historical preservation areas, archeological site. Phase I HTRW all of these to the local sponsors for the whole 150 acres. BMP's for all the critical habitat. Howard Laderner slopes work with compliance.
- m. FWS to provide Planning Aid Letter in advance of NOI, can include Essential Fish Habitat information; Dave will try to provide by end of calendar year.
- n. NMFS would appreciate an early draft version of the EFH analysis – they can then provide suggestions to be included in the public draft document
- o. USGS can help with some maps/data. Land loss analysis.
 - i. Monique (USACE) asked if there are maps with all of the different species and cultural resources
 - ii. Jasen (USACE Cultural) said that we can get updated maps with cultural sites.
- p. Bald Eagles – Tammy Gilmore
- q. Noise concerns along the lake front for local population
 - i. Noise was a major issue. Used a press hammer to push to be less disruptive to the population and to meet the noise ordinance. Historic structures and paths, main roads used for temporary access for school zones and impacts. Construction managers, and CED to evaluate routes.
- r. Look at haul roads from previous construction as possibly acceptable routes.
 - i. Refine during PED, check with prior construction managers
 - ii. CED Phase II did a traffic analysis (still draft)
- s. Levees are used for recreation – walking, biking, access to other sites
 - i. West Jefferson levee board doesn't allow rec
 - ii. Andrew Perez knows where rec is happening
 - 1. Jefferson, Orleans, Bayou Sauvage
- t. Invasive species – Tulane, Xavier, etc.
 - i. Purple loose strife – new location
- u. WVA model – plan on us using; tentatively plan on USACE doing analysis with FWS review, but FWS can likely help with analysis if needed – play by ear as we go through study.
- v. Natural/Nature-based
 - i. Marsh can reduce surge but need a LOT (many square miles) and need to buy land and maintain/rebuild.
 - ii. Marshes in front – high wave energy environments, need to go with least cost alternative; if marshes get blown out will we re-create it. Trees don't work but

- marsh may; 1 mile of marsh yields 3/10 of a foot surge reduction; but higher surges overwhelm marshes; marshes help more with minor surges. Armoring could be a natural feature.
- iii. Any additional project features like marshes could impact the sponsor and their ability to maintain them
- iv. Marshes not tree plantings
- v. Turn open water into land
- vi. Is armoring a natural feature?
- vii. Avoid and Minimize vs. Mitigation
- viii. Change grass species on the levee – potential for biodiversity without impacting protection
- ix. Lake Pontchartrain Basin Foundation has info on multiple lines of defense
- x. Foreshore protection?
- xi. Need to be able to replace quickly and inexpensively
- xii. Patrick Smith in MVN used to work for Lake Pont Basin Foundation
- w. Lake Pont Foundation website...look up foreshore with reef-balls/oyster barriers “living shore”
- x. Floodwalls wildlife passage 1 every 3 miles, maintain water flow. Stagnant water, BMP for water. Drainage, canal, to a pump – NPS coming back along that the park is interested. 31-34 wildlife passage 404C area. Bayou Sauvage some structures that flow out but not in. Water circulation is better. Pipe of a certain size. Screens in front of it.
- y. 300 ft. buffer for the river
 - i. Break water outside sea grass beds – what was there was good so do we add more and replenish the barrier?
- z. Trees would be okay on the river but not from waves action (but it would maybe work on WBV because of level of current marshes)
- aa. Milton project: earthen bags didn’t work...replaced with rock.
- bb. Remember wildlife passage for floodwalls
- cc. Air quality – all areas currently in attainment
- dd. Maintaining access during construction is important for recreation as well.
- ee. Post-Katrina - Environmental Assessment #433 – Impacts of USACE response to Katrina and Rita – after-the-fact EA due to emergency nature; Murphy oil spill; transportation study on the HSDRSS. LA DEQ and DHH, population Andrew Perez and Joe Musso; other social effects, social/environmental justice in terms of phase construction...populations have moved around, where are the potentially disproportionately affected populations now; CED Phase 2 socio-economic report
- ff. There are some sea-grass beds so maybe put some breakwaters on Lake Pont
- gg. USFWS like a lot of coordination---like updates - don’t wait for a month to let them know what’s going on; supposed to be a member of the PDT per MOA
- hh. Mondays are the worst for meetings...Thursdays seems to work
 - i. National Park Service wants to be involved with WBV - development of the alternatives and then if things change.

1.4 13 NOVEMBER 2019 – RESOURCE PARTNER WEBINAR ON TSP

Attendees:

Monique Savage - USACE MVS

Rachel Mesko, USACE Planning

Hannah Sprinkle, USFWS

Dave Butler La Dept. Wildlife and Fisheries

Frank Spiess, USACE Project Management

Craig Gothreaux, NMFS Habitat
Conservation Division

Elizabeth Barron, LDWF

Cornelius Williams, Louisiana Department
of Wildlife & Fisheries

Dave Butler LA Dept. Wildlife and Fisheries

Barry Hebert-LDWF-Fisheries Habitat

Jeff Harris LDNR

Sara Krupa LDNR

Joe Heublein NMFS SERO

Mark Hogan LDNR

Kip Runyon USACE

Kat McCain USACE

Laura Lee Wilkinson USACE

PROJECT STATUS UPDATE

WEST BANK & VICINITY LAKE PONTCHARTRAIN & VICINITY GENERAL RE-EVALUATION

Kat McCain – WBV Environmental Lead (Kathryn.McCain@usace.army.mil)
Kip Runyon – LPV Environmental Lead (Kip.R.Runyon@usace.army.mil)

13 November 2019

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US Army Corps of Engineers

U.S. ARMY

AGENDA

10:05 Introductions – **Please type in the chat box your name and agency**

- Kat McCain – WBV Environmental Lead
- Kip Runyon – LPV Environmental Lead

10:10 Purpose and Outcome

- Provide project status for WBV and LPV
- Inform agencies of the upcoming public review and needs for ongoing agency coordination moving forward

10:15 Project Overviews - TSPs


- West Bank & Vicinity
- Lake Pontchartrain & Vicinity
- Mitigation for Both
- Borrow Assumptions for Both

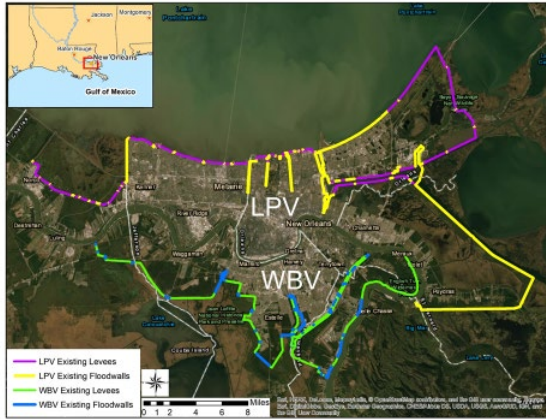
10:45 Schedule & Public Review

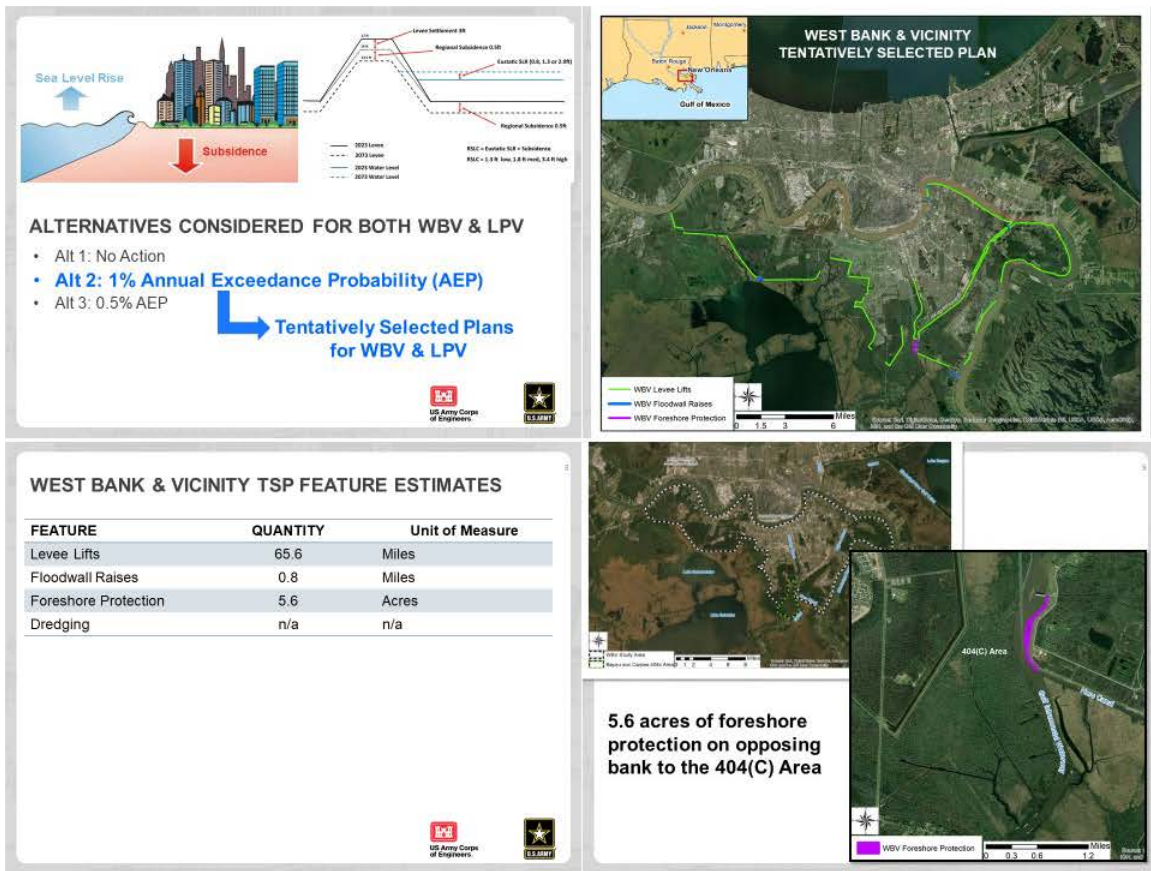
10:50 Q/A Discussion

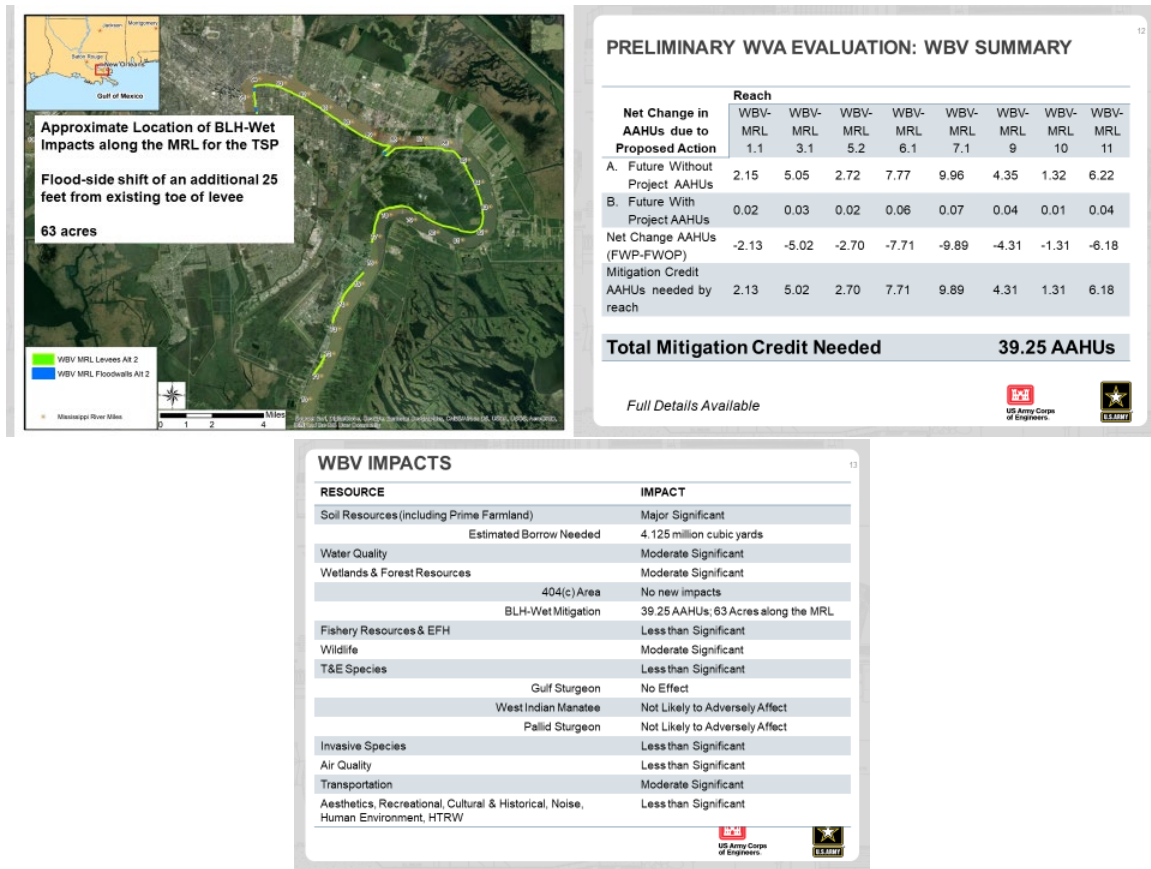
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SLIDES ON Lake Pontchartrain & Vicinity Project available upon request

BLH-WET MITIGATION PLAN FOR BOTH WBV & LPV

BLH-WET MITIGATION PLAN FOR BOTH WBV & LPV

➤ Considered Mitigation Projects:


Alternative 1: Mitigation Bank

Alternative 2: Alternative to Mitigation Banks:

- A. Highway 307 Mitigation Project Expansion
- B. 05a.1 Mitigation Project
- C. Combination of Hwy 307 & 05a.1
- D. Combination of Corps Constructed & Mitigation Bank


➤ RECOMMENDATION: Mitigation Bank

If, no mitigation bank proposals is feasible in the future, then CEMVN would complete environmental compliance for the Alternative 2 above options




BORROW ASSUMPTIONS FOR WBV & LPV

RESOURCE	ASSUMPTIONS
Location	Orleans, Plaquemines, St. Bernard, Jefferson, St. Charles, Lafourche, or St. John the Baptist Parish
Human Environment	Avoid Environmental Justice
Soils	Meet suitable clay material requirements; prime farmland impacts expected
Transportation	Same as HSDRRS
Jurisdictional Wetlands & Non-Jurisdictional BLH	Avoid
Water Quality	BMPs will be used
Wildlife	Habitat conversion expected – moderate impacts
Cultural Resources	Surveys will be conducted
HTRW	Surveys will be conducted
Air Quality	Minor impacts during construction; If in non-attainment then air conformity analysis will be performed
Fisheries, EFH, T&E, Recreation	No impacts
Aesthetics, Noise	Minor impacts during construction




Moving from TSP to Agency Decision (Nov 2019 - March 2020)

- Public/agency/tribal/internal concurrent reviews
 - NOA 13 December 2019
 - Release of Draft Integrated Report with Draft EIS
 - 45-Day Public Review **13 December 2019 – 27 January 2020**
 - Public meetings: **Tentatively week of January 6th**
- Identify relevant public/agency/tribal/internal comments and develop strategies to resolve
- Hold Agency Decision Milestone **[March 2020]**






OVERALL STUDY SCHEDULE

Milestone/Event	Current Schedule
Feasibility Cost Sharing Agreement Signed	09 October 2018
Alternatives Milestone	14 February 2019
Tentatively Selected Plan Milestone	09 October 2019
Release of Draft Feasibility Report	13 December 2019
Public Review	13 Dec 2019 – 27 Jan 2020
Agency Decision Milestone	27 March 2020
District Engineer's Transmittal of Final Report Package	10 February 2021
30-Day State & Agency Technical Review Start	April 2021
Chief of Engineer's Report Signed	July 2021



QUESTIONS AND DISCUSSION

QUESTIONS:

- 1) Will the slides be made available?
 - a. Response: yes

2 ONE FEDERAL DECISION COORDINATION

2.1 USFWS

2.1.1 4 APRIL 2019: USACE COOPERATING AGENCY REQUEST TO USFWS



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVE
NEW ORLEANS LA 70118-3651

April 4, 2019

Mr. Joe Ranson
Field Supervisor
U.S. Fish and Wildlife Service
200 Dulles Drive
Lafayette, LA 70506

Dear Mr. Ranson:

The U.S. Army Corps of Engineers (Corps), New Orleans District, is initiating preparation of a general re-evaluation report with integrated environmental impact statement pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed West Bank and Vicinity Project, located in St. Charles, Jefferson, Orleans, and Plaquemines parishes, Louisiana. The study seeks to determine if the work necessary to sustain the 1% level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified. The non-Federal sponsor is the Louisiana Coastal Protection and Restoration Authority.

Your agency has been identified as an agency that may have an interest in the proposed project based on your jurisdiction by law and/or special expertise. As the lead Federal agency under NEPA, we invite you to be a Cooperating Agency with the Corps in the development of the environmental decision document per the One Federal Decision, Executive Order (EO) 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects, 15 August 2017. Your designation as a cooperating agency does not imply you support the proposed project nor does it diminish or otherwise modify your agency's independent statutory obligations and responsibilities under applicable Federal laws, regulations, and Executive Orders.

Enclosed for your information is one copy of the project fact sheet (ENCL 1). This fact sheet provides a brief project description, relevant background information, and study area information.

In accordance with the Council on Environmental Quality (CEQ) final implementing regulations for NEPA (40 C.F.R. § 1501.6 and § 1508.5); the One Federal Decision (EO 13807) and Corps Implementation Guidance, 26 September 2018 (ENCL 2); and CECW-P Planning Bulletin 2018-01, Feasibility Study Milestones, 26 September 2018 (ENCL 3)), the Corps requests your assistance and participation in the NEPA process in the following ways:

- Invite you to participate and provide input during agency coordination meetings, including pre-scoping and scoping;
- Consult with you on any relevant technical studies that will be required for the project;

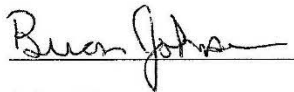
Mr. Joe Ranson

2

- Provide comment and feedback on identifying the overall scope of the project (including project schedule to complete all federal environmental reviews and authorization decisions within two years), study and assessment methodologies, range of alternatives, and important issues and impacts to be evaluated during the environmental review;
- Participate in identifying and eliminating from detailed study the issues which are not important;
- Identify issues related to your agency's jurisdiction by law and special expertise; and
- Review the administrative and public drafts of the Draft and Final environmental impact statement.

Please provide your written acceptance or declination of this invitation on or before May 4, 2019. Should you decline to accept our invitation to be a cooperating agency, we advise that you provide a copy of your response to CEQ as specified at 40 C.F.R. § 1501.6(c). We look forward to working with your agency on the preparation of the environmental decision document. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study, please contact Mr. Bradley Drouant, P.E., the Project Manager (504-862-1516), or Dr. Kathryn McCain, the Environmental Manager (314-331-8047).

Sincerely,



Brian Johnson
Environmental Compliance Branch Chief
Regional Planning and Environmental Division North - St Louis
1222 Spruce St.
St. Louis, MO 63103
Brian.L.Johnson@usace.army.mil
314-331-8146

ENCL 1 - Study Fact Sheet

ENCL 2 - Implementation Guidance for Feasibility Studies for Executive Order 13807,
Establishing Discipline and Accountability in the Environmental Review and
Permitting Process for Infrastructure Projects

ENCL 3 - Planning Bulletin PB 2018-01, Feasibility Study Milestones, 26 September 2018



Future Levee Lifts General Reevaluation Report for LPV and WBV

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

Overview/Authorization

The authorization for the Hurricane and Storm Damage Risk Reduction System (HSDRRS) required it to provide the 1% level of risk reduction required for participation in the National Flood Insurance Program at the time of construction. It did not authorize future levee lifts that will be required to sustain the 1% level of risk reduction over the long term. The Future Levee Lifts study was first authorized in WRRDA 2014 Section 3017. The authority terminates on 10 June 2024. The act requires a report be provided to Congress in 2019 with recommendations relating to continued need for this authority.

Study Description

Southeast Louisiana, including the Greater New Orleans area, is generally characterized by weak soils, general subsidence, and the global incidence of sea level rise that will cause levees to require future lifts to sustain performance of the HSDRRS. Engineering analysis indicates the HSDRRS will no longer provide 1 percent level of risk reduction as early as 2023. Absent future levee lifts to offset consolidation, settlement, subsidence, and sea level rise, risk to life and property in the Greater New Orleans area will progressively increase. USACE will notify FEMA once the system no longer provides the 1 percent level of risk reduction, which may result in the loss of accreditation required for participation in the NFIP.



This study seeks to determine if the work necessary to sustain the 1% level of risk reduction is technically feasible, environmentally acceptable, and economically justified. A positive determination would make construction of future levee lifts eligible for future budget requests.

Study Cost

Two studies will be conducted, one each for the Lake Pontchartrain and Vicinity Project and the West Bank and Vicinity project. Each study will cost \$3M.

Path Forward/Key Activities

- Notice of Intent - April 2, 2019
- Public Scoping Meetings - April 30, 2019

U.S. ARMY CORPS OF ENGINEERS – TEAM NEW ORLEANS
Projects and Restoration Branch, 7400 Leake Avenue, New Orleans, LA 70118
www.mvn.usace.army.mil

2.1.2 24 APRIL 2019: USFWS COOPERATING AGENCY RESPONSE LETTER



United States Department of the Interior

FISH AND WILDLIFE SERVICE

200 Dulles Drive
Lafayette, Louisiana 70506

April 24, 2019

Brian Johnson
Environmental Compliance Branch Chief
Regional Planning and Environmental Division North - St Louis
1222 Spruce St.
St. Louis, MO 63103

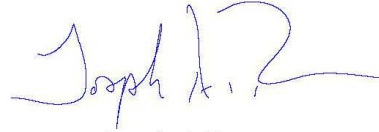
Dear Mr Johnson:

Please reference your April 4, 2019, letter requesting our participation as a cooperating agency during the U.S. Army Corps of Engineers' (USACE) preparation of a draft general re-evaluation report with integrated environmental impact statement (DGRR-EIS) pursuant to the National Environmental policy Act (NEPA) of 1969, as amended, for the proposed West Bank and Vicinity Project, located in St. Charles, Jefferson, Orleans, and Plaquemines Parishes, Louisiana. The study seeks to determine if the work necessary to sustain the 1 percent level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified. The non-Federal sponsor is the Louisiana Coastal Protection and Restoration Authority. The U.S. Fish and Wildlife Service (Service) has reviewed the information provided, and offers the following comments in accordance with the National Environmental Policy Act (NEPA) of 1969, as amended (83 Stat. 852; 42 U.S.C. 4321 et seq.).

The USACE and the Fish and Wildlife Service (Service) have formally committed to work together to conserve, protect, and restore fish and wildlife resources while ensuring environmental sustainability of our Nation's water resources under the January 22, 2003, Partnership Agreement for Water Resources and Fish and Wildlife. Accordingly, the Service would be pleased to serve as a cooperating agency in developing the DGRR-EIS for the proposed project in accordance with applicable NEPA/Council on Environmental Quality guidance. Our participation will include: 1) participation in and providing input during agency coordination meetings, including pre-scoping and scoping; 2) consultation on any relevant technical studies that will be required for the project; 3) providing comment and feedback on identifying the overall scope of the project (including project schedule to complete all federal environmental reviews and authorization decisions within two years), study and assessment methodologies, range of alternatives, and important issues and impacts to be evaluated during the environmental review; 4) participation in identifying and eliminating from detailed study the issues which are not important; 5) identifying issues related to the Service's jurisdiction by law and special expertise; and 6) reviewing the administrative and public drafts of the Draft and Final Environmental Impact Statement. The Service will also provide technical assistance in the development of a Biological Assessment describing the impacts of the proposed activity to federally listed threatened or endangered species and/or their critical habitat. Agreeing to be a cooperating agency does not preclude the Service from providing comments on the draft and final SEISs and does not ensure our support of the final selected plan.

We appreciate the opportunity to assist the USACE during the development of the DGRR-EIS. If you require further assistance in this matter, please contact Mr. David Walther (337-291-3122) of this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph A. Ranson". The signature is stylized with a large, sweeping "J" and a long horizontal line extending to the right.

Joseph A. Ranson
Field Supervisor
Louisiana Ecological Services Office

2.1.3 24 APRIL 2019: RESPONSE TO NOTICE OF INTENT TO PREPARE DGRR-EIS



United States Department of the Interior

FISH AND WILDLIFE SERVICE
200 Dulles Drive
Lafayette, Louisiana 70506
April 24, 2019

Mr. Bradley Drouant, P.E.
U.S. Army Corps of Engineers
CEMVN-PMO-L, Room 361
7400 Leake Avenue
New Orleans, LA 70118

Dear Mr. Drouant:

The U.S. Fish and Wildlife Service (Service) has reviewed the Notice of Intent (ER 19/133) to prepare a Draft Integrated General Reevaluation Report and Environmental Impact Statement (DGRR-EIS) for the West Bank and Vicinity Coastal Storm Risk Management Project.

The authorization for the Hurricane and Storm Damage Risk Reduction System (HSDRRS) required it to provide the 1% level of risk reduction needed for participation in the National Flood Insurance Program at the time of construction. It did not authorize future levee lifts that will be required to sustain the 1% level of risk reduction over the long term. The Future Levee Lifts study was first authorized in the Water Resources Development Act (WRDA) of 2014 Section 3017. The authority terminates on 10 June 2024. The act requires a report be provided to Congress in 2019 with recommendations relating to continued need for this authority. The study seeks to determine if the work necessary to sustain the 1% level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified.

The lead agency for this proposed action is the U.S. Army Corps of Engineers (USACE). The Louisiana Coastal Protection and Restoration Authority (CPRA) is the non-Federal sponsor. The USACE is preparing the DGRR-EIS under the authority of Section 3017 of WRDA 2014. Public Law 115-123 (Bipartisan Budget Act of 2018) funded the study as a new start. The study phase is 100% federally funded.

The USACE will evaluate a range of alternatives for the proposed action including structural and nonstructural measures. The USACE will fully evaluate reasonable and practicable alternatives, including the no action alternative. Alternatives may result in avoidance, minimization, and mitigation measures to reduce or offset any impacts.

To aid in the planning of that study the Service submits the following comments as

technical assistance in accordance with the National Environmental Policy Act of 1969 (83 Stat. 852, as amended; 42 U.S.C. 4321 et seq.), the Migratory Bird Treaty Act (MBTA, 40 Stat. 755, as amended; 16 U.S.C. 703 et seq.), the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Endangered Species and other Acts

Various species protected under the Endangered Species Act (ESA), Bald and Golden Eagle Protection Act (BGEPA), and the Migratory Bird Treaty Act (MBTA) are known to occur in the project vicinity. Protected species that may occur in the coastal parishes of this project study include colonial nesting water/wading birds including the formerly listed brown pelican (*Pelecanus occidentalis*), various raptors including the formerly listed bald eagle (*Haliaeetus leucocephalus*) and peregrine falcon (*Falco peregrines*). Forest clearing associated with project features should be conducted during the fall or winter to minimize impacts to nesting migratory birds, when practicable.

Federally-listed threatened and endangered species that could be encountered in the project area are the endangered pallid sturgeon (*Scaphirhynchus albus*), the threatened Atlantic Sturgeon (*Acipenser oxyrinchus desotoi*), and the threatened West Indian manatee (*Trichechus manatus*) and sea turtles. The USACE should consult with the NMFS regarding sea turtles.

The Service recommends that USACE conduct ESA consultation on the DGRR-EIS as soon as plans are developed and impact locations are identified. Following that coordination, the Service recommends that the USACE contact the Service for additional consultation if: 1) the scope or location of the proposed project is changed significantly, 2) new information reveals that the action may affect listed species or designated critical habitat; 3) the action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. Additional consultation as a result of any of the above conditions or for changes not covered in this consultation should occur before those changes are made and or finalized.

National Environmental Policy Act and the Fish and Wildlife Coordination Act

The President's Council on Environmental Quality defined the term "mitigation" in the National Environmental Policy Act regulations to include: (a) avoiding the impact altogether by not taking a certain action or parts of an action; (b) minimizing impacts by limiting the degree or magnitude of the action and its implementation; (c) rectifying the impact by repairing, rehabilitating, or restoring the affected environment; (d) reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and (e) compensating for the impact by replacing or providing substitute resources or environments. The Service supports and adopts this definition and considers the specific elements to represent the

desirable sequence of steps in the mitigation planning process.

The Service's Mitigation Policy (Federal Register, Vol. 46, pp. 7644-7663, January 23, 1981) has designated four resource categories which are used to ensure that the level of mitigation recommended will be consistent with the fish and wildlife resources involved. The mitigation planning goals and associated Service recommendations should be based on those four categories, as follows:

Resource Category 1 - Habitat to be impacted is of high value for evaluation species and is unique and irreplaceable on a national basis or in the ecoregion section. The mitigation goal for this Resource Category is that there should be no loss of existing habitat value.

Resource Category 2 - Habitat to be impacted is of high value for evaluation species and is relatively scarce or becoming scarce on a national basis or in the ecoregion section. The mitigation goal for habitat placed in this category is that there should be no net loss of in-kind habitat value.

Resource Category 3 - Habitat to be impacted is of high to medium value for evaluation species and is relatively abundant on a national basis. FWS's mitigation goal here is that there be no net loss of habitat value while minimizing loss of in-kind habitat value.

Resource Category 4 - Habitat to be impacted is of medium to low value for evaluation species. The mitigation goal is to minimize loss of habitat value.

The four resource categories are used to ensure that the level of mitigation recommended by Service biologists will be consistent with the fish and wildlife resource values involved. Considering the high value of forested wetlands and marsh for fish and wildlife and the relative scarcity of those habitats they are designated as Resource Category 2, the mitigation goal for which is no net loss of in-kind habitat value. Therefore, the Service recommends to the greatest extent possible, future levee lift features avoid or minimize the destruction of wetlands (see Attachment 1). Scrub-shrub habitat, open water areas with an abundance of submerged aquatic vegetation, and dry bottomland hardwoods are placed in Resource Category 3 due to their relatively lower value to wildlife, fisheries and possible degraded wetland functions. The mitigation goal for Resource Category 3 habitats is no net loss of habitat value. Mitigation needs will be evaluated during the feasibility stage and proposed mitigation should comply with the twelve performance standards and criteria (see Attachment 2). For those project impacts that cannot be fully ascertained during the Feasibility Study the Service recommends that adaptive management be employed post construction to correctly identify the extent of such impacts and develop appropriate mitigation. All adaptive management measures should be developed in coordination with the Service and other natural resource agencies.

Public Lands

The Corps should avoid impacts to public lands, if feasible. If not feasible, the Corps should establish and continue coordination with agencies managing public lands that may be impacted by a project feature until construction of that feature is complete and prior to any subsequent maintenance. Points of contacts for the agencies potentially impacted by project features are: Office of State Parks contact Mr. Britt Evans at 225-342-1587, National Park Service (NPS), contact Guy Hughes, (504) 589-3882 extension 128 and for the 404(c) area contact the previously mentioned NPS personnel and Mr. Raul Gutierrez (214) 665-6697 with the EPA.

Other comments

The Service assumes this study will evaluate placement of additional earthen fill on existing levees to restore them to target elevations. Other existing project features, such as water control structures, have operational plans in place. All previous Service recommendations in our November 2007 Fish and Wildlife Coordination Act Report for those existing features are incorporated herein by reference.

For any new access roads or staging areas the Service has the following recommendations:

Culverts should be installed in construction access roads unless otherwise recommended by the natural resource agencies. At a minimum, there should be one 24-inch culvert placed every 500 feet and one at natural stream crossings. If the depth of water crossings allow, larger sized culverts should be used. Culvert spacing should be optimized on a case-by-case basis. A culvert may be necessary if the road is less than 500-feet long and an area would be hydrologically isolated without that culvert.

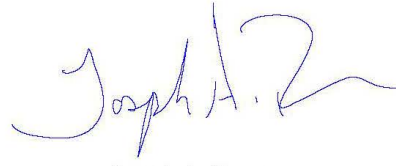
New structural or nonstructural features should avoid impacts to wetlands and fish and wildlife resources. The USACE shall fully compensate for any unavoidable losses of wetland habitat or non-wet bottomland hardwoods caused by project features.

Acquisition, habitat development, maintenance and management of mitigation lands should be allocated as first-cost expenses of the project, and the local project-sponsor should be responsible for operational costs. If the local project-sponsor is unable to fulfill the financial mitigation requirements for operation, then the Corps should provide the necessary funding to ensure mitigation obligations are met on behalf of the public interest.

Any proposed change in mitigation features or plans should be coordinated in advance with the Service, NMFS, LDWF, EPA and LDNR.

We appreciate the opportunity to review the Notice of Intent and to provide comments during the DGRR-EIS scoping period. We look forward to working with you and your staff as project development continues. If you or your staff have further questions regarding the above recommendations or would like to meet and discuss our recommendations, please contact David Walther (337-291-3122).

Sincerely,



Joseph A. Ranson
Field Supervisor
Louisiana Ecological Service Office

Enclosure

cc: EPA, Dallas, TX
NMFS, Baton Rouge, LA
LDWF, Baton Rouge, LA
LDNR, CMD, Baton Rouge, LA
OCPR, Baton Rouge, LA

ATTACHMENT 1 BORROW PROTOCOL

Through the efforts of Task Force Guardian and HSDRRS, the Corps restored Hurricane Katrina-damaged hurricane/flood protection projects to their authorized or previously permitted/constructed protection levels. Identification of borrow areas needed to complete those repairs utilized a protocol that prioritized selection of those sites in the following order: existing commercial pits, upland sources, previously disturbed/manipulated wetlands within a levee system, and low-quality wetlands outside a levee system. The Service supports the use of such protocols to avoid and minimize impacts to wetlands and bottomland hardwoods within project areas. Avoidance and minimization of those impacts helps to provide consistency with restoration strategies and compliments the authorized hurricane protection efforts. Such consistency is also required by Section 303(d)(1) of the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA).

Accordingly, the Service recommends that prior to utilizing borrow sites every effort should be made to reduce impacts by using sheetpile, deep soil mixing, and/or floodwalls to increase levee heights wherever feasible. In addition, the Service recommends that the following protocol be adopted and utilized to identify borrow sources in descending order of priority:

1. Permitted commercial sources, authorized borrow sources for which environmental clearance and mitigation have been completed, or non-functional levees after newly constructed adjacent levees are providing equal protection.
2. Areas under forced drainage that are protected from flooding by levees, and that are:
 - a) non-forested (e.g., pastures, fallow fields, abandoned orchards, former urban areas) and non-wetlands;
 - b) wetland forests dominated by exotic tree species (i.e., Chinese tallow-trees) or non-forested wetlands(e.g., wet pastures), excluding marshes;
 - c) disturbed wetlands (e.g., hydrologically altered, artificially impounded).
3. Sites that are outside a forced drainage system and levees, and that are:
 - a) non-forested (e.g., pastures fallow fields, abandoned orchards, former urban areas) and non-wetlands;
 - b) wetland forests dominated by exotic tree species (i.e., Chinese tallow-trees) or non-forested wetlands(e.g., wet pastures), excluding marshes;
 - c) disturbed wetlands (e.g., hydrologically altered, artificially impounded).

Notwithstanding this protocol, the location, size and configuration of borrow sites within the landscape is also critically important. Coastal ridges, natural levee flanks and other geographic features that provide forested/wetland habitats and/or potential barriers to hurricane surges should not be utilized as borrow sources, especially where such uses would diminish the natural functions and values of those landscape features.

ATTACHMENT 2 MITIGATION GUIDANCE AND RECOMMENDATIONS

On April 10, 2008, the U.S. Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA) issued regulations governing compensatory mitigation for activities authorized by Department of the Army permits (Federal Register, Vol. 73, No. 70). According to the Federal Register, those regulations establish performance standards and criteria for the use of permittee-responsible compensatory mitigation, mitigation banks, and in-lieu programs to improve the quality and success of compensatory mitigation projects. The following summary outline generally describes the process of developing a mitigation plan as outlined in those regulations (see the Federal Register for a detailed description of each step).

1. Objectives: a description of the resource type(s) and amount(s) that would be provided as mitigation, the method of compensation, and the manner in which the resource functions of the compensatory mitigation project would address the needs of the geographic area of interest.
2. Site Selection: a description of the factors considered during the site selection process.
3. Site Protection Instrument: a description of the legal arrangements and instrument that would be used to ensure long-term protection of the compensatory mitigation project site.
4. Baseline Information: a description of the ecological characteristics of the proposed compensatory mitigation project site.
5. Determination of Credits: a description of the number of credits to be provided, including a rationale for that determination.
6. Mitigation Work Plan: detailed written specifications and work descriptions for the compensatory mitigation project.
7. Maintenance Plan: a description and schedule of maintenance requirements to ensure the continued viability of the resource once initial construction is completed.
8. Performance Standards: ecologically based standards that will be used to determine whether the compensatory mitigation project is achieving its objective.
9. Monitoring Requirements: a description of parameters to be monitored in order to determine if the mitigation project is on track for achieving its performance standards and if adaptive management is needed.
10. Long-term Management Plan: a description of the manner in which the compensatory mitigation project will be managed after the performance standards have been achieved to ensure the long-term sustainability of the resource.
11. Adaptive Management Plan: a management strategy to address unforeseen changes in site conditions or other mitigation project components.
12. Financial Assurances: a description of the financial assurances that would be provided and how they are sufficient to ensure a high level of confidence that the mitigation project will be successfully completed in accordance with its performance standards.

2.1.4 17 OCTOBER 2019: USACE CONCURRENCE ON TSP REQUEST LETTER



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. LOUIS DISTRICT
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

REPLY TO ATTENTION OF:
Regional Planning and Environmental Division North
Environmental Compliance Section (CEMVP-PD-C)

17 October 2019

SUBJECT: Request for Concurrence on Alternatives to be carried forward and the Preferred Alternative for the West Bank and Vicinity, Louisiana General Re-evaluation Report

Mr. Joseph A. Ranson
Field Supervisor
Louisiana Ecological Services Office
U.S. Fish and Wildlife Service
200 Dulles Drive
Lafayette, Louisiana 70506

Dear Mr. Ranson,

The U.S. Army Corps of Engineers, New Orleans District (CEMNVN), is preparing the West Bank and Vicinity (WBV), Louisiana General Re-evaluation Report with integrated Environmental Impact Statement to re-evaluate the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, and sea level rise over time, and determine if additional actions are recommended to sustain the current 1% level of risk reduction for coastal storms. The measures that have been identified as part of the proposed action include lifts to existing levees, raising of existing flood walls, and placement of foreshore protection in existing foreshore protection locations. The non-Federal sponsor is the Coastal Protection and Restoration Authority Board of Louisiana.

The Executive Order 13807: Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects, (also known as One Federal Decision (OFD)), Memorandum of Understanding for Major Infrastructure Projects (MOU) establishes a coordinated and timely process for environmental reviews of major infrastructure projects. It sets forth the agreement under which agencies will cooperate to complete environmental reviews and make authorization decisions for major infrastructure projects. It describes the permitting timetable milestones, roles, and responsibilities for the lead, cooperating, and participating agencies.

The OFD MOU identifies three concurrence points in the environmental review process where the lead Federal agency must request the concurrence of cooperating agencies with authorization decision responsibilities (See Enclosure 1, Section XI). These are 1) Purpose and Need, 2) Alternatives to be Carried Forward for Evaluation, and 3) Preferred Alternative.

The CEMVN recently narrowed its list of feasible alternatives to the final array of alternatives to be carried forward for analysis in the EIS. The final array consists of the following alternatives:

Alternative 1: The No Action Alternative

Alternative 2: System Levee and Floodwall Lifts to the Projected 1% Event at 2073 with Intermediate Relative Sea Level Rise

Alternative 3: System Levee and Floodwall Lifts to the Projected 0.5% Event at 2073 with Intermediate Relative Sea Level Rise

Based on reasonably maximizing the net economic benefits of the alternatives while remaining consistent with the Federal objective of protecting the nation's environment, the CEMVN recently identified the Tentatively Selected Plan (i.e. the Preferred Alternative). Based on the evaluation of net economic benefits and potential environmental impacts, Alternative 2 was identified as the Preferred Alternative.

The CEMVN is seeking your agency's concurrence on the alternatives to be carried forward for analysis in the EIS and on the Preferred Alternative. Please provide your written concurrence within 30 days from the date of this letter. Concurrence, as defined in the MOU, means confirmation by the agency that the information is sufficient for the stage in the NEPA process and the environmental review process may proceed to the next stage. If, after concurrence, the CEMVN determines that changes to the alternatives to be carried forward or the Preferred Alternative are necessary, then the CEMVN and cooperating agencies will review such changes to determine if concurrence should be revisited.

We look forward to continuing to work with your agency on this study and appreciate the working relationship thus far. If you have any questions or would like to discuss this in more detail, please contact the Environmental Manager, Kip Runyon, at 314-331-8396 or kip.r.runyon@usace.army.mil.

Sincerely,

JOHNSON.BRIAN.L
LOYD.1231330336

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Date: 2019.10.17 14:22:22 -05'00'

Brian Johnson
Chief, Environmental Compliance Branch
Regional Planning and Environmental Division North

ENCL 1 – Memorandum of Understanding Implementing One Federal Decision Under Executive Order 13807

2.1.5 7 NOVEMBER 2019: CONCURRENCE LETTER FROM USFWS ON TSP



United States Department of the Interior

FISH AND WILDLIFE SERVICE
200 Dulles Drive
Lafayette, Louisiana 70506

November 7, 2019

Colonel Stephen Murphy
District Commander
U.S. Army Corps of Engineers
7400 Leake Avenue
New Orleans, LA 70118-3651

Dear Colonel Murphy;

Please reference the West Bank and Vicinity Hurricane Storm Damage and Risk Reduction Reevaluation Study (WBV) being conducted by the Corps of Engineers' (USACE). This reevaluation addresses levee lifts that will be required to offset expected consolidation, settlement, subsidence and sea level rise and addresses impacts to fish and wildlife resources and public lands.

This letter is transmitted in accordance with the Executive Order 13807: Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects, (also known as One Federal Decision (OFD)). This letter is also transmitted under the authority of the Fish and Wildlife Coordination Act (FWCA) but does not constitute the final report of the Secretary of the Interior as required by Section 2(b) of that act.

At the current stage of planning USACE has completed preliminary studies to identify alternatives to be carried forward in the study process. Those alternatives have the potential to impact public lands, i.e., Jean Lafitte National Historical Park and Preserve, Barataria Preserve Unit managed by the National Park Service (NPS).

Following a telephone conversation with Kip Runyon, USACE Environmental Manager (October 30, 2019), the Service does not object to the selected alternatives but reserves the right to voice an objection to project features that may impact those public lands. Continued coordination with the Service and the NPS, Jean Lafitte National Historical Park and Preserve will be necessary as engineering and design of those features is undertaken. The Service and Park Service will continue to work closely with USACE to identify those alternatives that are least damaging and acceptable.

We appreciate the opportunity to assist in the development of this project and to provide comments and recommendations to the proposed alternatives. However, the Service remains concerned with the lack of information provided in this stage of the feasibility study. If practicable, the Service recommends the USACE provide project feature details at an earlier

phase in the study process. Lack of data limits the ability to fully address impacts to public lands and causes concern in our concurrence of alternatives.

Should you or your staff have any questions, or if you would like to meet with us regarding the content of this letter, please contact Hannah Sprinkle (337-291-3121).

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph A. Ranson". The signature is stylized with a large "J" and a long horizontal stroke at the end.

Joseph A. Ranson
Field Supervisor
Louisiana Ecological Services Office

2.2 NATIONAL MARINES FISHERIES SERVICE (NMFS)

2.2.1 4 APRIL 2019: USACE COOPERATING AGENCY REQUEST TO NMFS



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVE
NEW ORLEANS LA 70118-3651

April 4, 2019

Mr. David Bernhart
NMFS – Protected Species Division
263 13th Avenue South
St. Petersburg, FL 33701

Dear Mr. Bernhart:

The U.S. Army Corps of Engineers (Corps), New Orleans District, is initiating preparation of a general re-evaluation report with integrated environmental impact statement pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed West Bank and Vicinity Project, located in St. Charles, Jefferson, Orleans, and Plaquemines parishes, Louisiana. The study seeks to determine if the work necessary to sustain the 1% level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified. The non-Federal sponsor is the Louisiana Coastal Protection and Restoration Authority.

Your agency has been identified as an agency that may have an interest in the proposed project based on your jurisdiction by law and/or special expertise. As the lead Federal agency under NEPA, we invite you to be a Cooperating Agency with the Corps in the development of the environmental decision document per the One Federal Decision, Executive Order (EO) 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects, 15 August 2017. Your designation as a cooperating agency does not imply you support the proposed project nor does it diminish or otherwise modify your agency's independent statutory obligations and responsibilities under applicable Federal laws, regulations, and Executive Orders.

Enclosed for your information is one copy of the project fact sheet (ENCL 1). This fact sheet provides a brief project description, relevant background information, and study area information.

In accordance with the Council on Environmental Quality (CEQ) final implementing regulations for NEPA (40 C.F.R. § 1501.6 and § 1508.5); the One Federal Decision (EO 13807) and Corps Implementation Guidance, 26 September 2018 (ENCL 2); and CECW-P Planning Bulletin 2018-01, Feasibility Study Milestones, 26 September 2018 (ENCL 3)), the Corps requests your assistance and participation in the NEPA process in the following ways:

- Invite you to participate and provide input during agency coordination meetings, including pre-scoping and scoping;
- Consult with you on any relevant technical studies that will be required for the project;
- Provide comment and feedback on identifying the overall scope of the project (including

Mr. David Bernhart

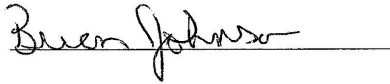
2

project schedule to complete all federal environmental reviews and authorization decisions within two years), study and assessment methodologies, range of alternatives, and important issues and impacts to be evaluated during the environmental review;

- Participate in identifying and eliminating from detailed study the issues which are not important;
- Identify issues related to your agency's jurisdiction by law and special expertise; and
- Review the administrative and public drafts of the Draft and Final environmental impact statement.

Please provide your written acceptance or declination of this invitation on or before May 4, 2019. Should you decline to accept our invitation to be a cooperating agency, we advise that you provide a copy of your response to CEQ as specified at 40 C.F.R. § 1501.6(c). We look forward to working with your agency on the preparation of the environmental decision document. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study, please contact Mr. Bradley Drouant, P.E., the Project Manager (504-862-1516), or Mr. Kip Runyon, the Environmental Manager (314-331-8396).

Sincerely,



Brian Johnson
Environmental Compliance Branch Chief
Regional Planning and Environmental Division North - St Louis
1222 Spruce St.
St. Louis, MO 63103
Brian.L.Johnson@usace.army.mil
314-331-8146

ENCL 1 - Study Fact Sheet

ENCL 2 - Implementation Guidance for Feasibility Studies for Executive Order 13807,
Establishing Discipline and Accountability in the Environmental Review and
Permitting Process for Infrastructure Projects

ENCL 3 - Planning Bulletin PB 2018-01, Feasibility Study Milestones, 26 September 2018

2.2.2 17 MAY 2019: NMFS COOPERATING AGENCY RESPONSE LETTER



UNITED STATES DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
<http://sero.nmfs.noaa.gov>

05/17/2019

F:SER/NS

Brian Johnson
Environmental Compliance Branch Chief
Regional Planning and Environmental Division North – St. Louis
1222 Spruce Street
St. Louis, MO 63103

Attention: Bradley Drouant, and Kip Runyon

Dear Mr. Johnson:

NOAA's National Marine Fisheries Service (NMFS) has received your letter dated April 04, 2019, requesting our participation as a Cooperating Agency on the proposed West Bank and Vicinity project. Given that we have special expertise and jurisdiction by law in regards to the Endangered Species Act, Marine Mammal Protection Act, and Magnuson Stevens Act, NMFS agrees to serve as a Cooperating Agency for this project. Due to staffing and travel constraints, and our heavy involvement in several other USACE One Federal Decision Projects our participation may be limited to our review and comment on draft National Environmental Policy Act documents, teleconferences, and occasional travel to meetings.

We appreciate your invitation to serve as a Cooperating Agency for the proposed West Bank and Vicinity project. Please direct project correspondence related to habitat impacts and/or Essential Fish Habitat consultation to Craig Gothreaux, 5757 Corporate Blvd., Suite 375, Baton Rouge, LA 70808; by telephone at (225) 380-0078, or by e-mail at craig.gothreaux@noaa.gov. All other project correspondence can be directed to Noah Silverman, at the letterhead address; by telephone at (727) 824-5353, or by email at noah.silverman@noaa.gov.

Sincerely,

STRELCHECK.AND
REV.J.1365863152

Digitally signed by
STRELCHECK.ANDREW.J.1365
863152
Date: 2019.05.17 12:26:11 -0400

for Roy E. Crabtree, Ph.D.
Regional Administrator

cc:
GCERC, Renshaw, Lipsy
F/SER, Strelcheck, Blough, Silverman,
F/SER3, Bernhart,
F/SER4, Fay, Dale
F/SER45, Wilber, Cooksey



2.2.3 17 OCTOBER 2019: USACE CONCURRENCE ON TSP REQUEST LETTER

The CEMVN recently narrowed its list of feasible alternatives to the final array of alternatives to be carried forward for analysis in the EIS. The final array consists of the following alternatives:

Alternative 1: The No Action Alternative

Alternative 2: System Levee and Floodwall Lifts to the Projected 1% Event at 2073 with Intermediate Relative Sea Level Rise

Alternative 3: System Levee and Floodwall Lifts to the Projected 0.5% Event at 2073 with Intermediate Relative Sea Level Rise

Based on reasonably maximizing the net economic benefits of the alternatives while remaining consistent with the Federal objective of protecting the nation's environment, the CEMVN recently identified the Tentatively Selected Plan (i.e. the Preferred Alternative). Based on the evaluation of net economic benefits and potential environmental impacts, Alternative 2 was identified as the Preferred Alternative.

The CEMVN is seeking your agency's concurrence on the alternatives to be carried forward for analysis in the EIS and on the Preferred Alternative. Please provide your written concurrence within 30 days from the date of this letter. Concurrence, as defined in the MOU, means confirmation by the agency that the information is sufficient for the stage in the NEPA process and the environmental review process may proceed to the next stage. If, after concurrence, the CEMVN determines that changes to the alternatives to be carried forward or the Preferred Alternative are necessary, then the CEMVN and cooperating agencies will review such changes to determine if concurrence should be revisited.

We look forward to continuing to work with your agency on this study and appreciate the working relationship thus far. If you have any questions or would like to discuss this in more detail, please contact the Environmental Manager, Kip Runyon, at 314-331-8396 or kip.r.runyon@usace.army.mil.

Sincerely,

JOHNSON.BRIAN.L
LOYD.1231330336

Digitally signed by
JOHNSON.BRIAN.LLOYD.12313303
36
Date: 2019.10.17 14:20:25 -05'00'

Brian Johnson
Chief, Environmental Compliance Branch
Regional Planning and Environmental Division North

ENCL 1 – Memorandum of Understanding Implementing One Federal Decision Under Executive Order 13807

2.2.4 13 NOVEMBER 2019: CONCURRENCE LETTER FROM NMFS ON TSP



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
<https://www.fisheries.noaa.gov/region/southeast>

11/13/2019

F:SER/NS

Brian Johnson
Chief, Environmental Compliance Branch
Regional Planning and Environmental Division North
1222 Spruce Street
St. Louis, MO 63103

Attention: Kip Runyon, Regional Planning and Environmental Division North Environmental Compliance Section (CEMVP-PD-C)

Dear Mr. Johnson:

NOAA's National Marine Fisheries Service (NMFS) has received your letter dated October 17, 2019, seeking our concurrence pursuant to the One Federal Decision Memorandum of Understanding on the alternatives to be carried forward for analysis in the EIS and on the Preferred Alternative on the proposed West Bank Vicinity project. After reviewing the information you've provided, including details provided during inter-agency meetings and conference calls, we do not have any concerns with your range of alternatives or tentatively selected preferred alternative, and as such we concur. If project scope changes, and/or new alternatives are added than we would appreciate the opportunity to review those changes/additions.

Sincerely,

CRABTREE.ROY. E.DR.1365849559
Digitally signed by
CRABTREE.ROY.E.DR.1365849
569
Date: 2019.11.13 10:08:58 -0500

Roy E. Crabtree, Ph.D.
Regional Administrator

cc:
GCERC, Renshaw, Lipsy
F, Chabot, Youngkin
F/SER, Strelcheck, Blough, Silverman,
F/SER3, Bernhart, Lamb, Heublein
F/SER4, Fay, Swafford, Gothreaux



3 PUBLIC SCOPING AND REVIEW

3.1 FEDERAL REGISTER

3.1.1 NOTICE OF INTENT – 2 APRIL 2019



Federal Register/Vol. 84, No. 63/Tuesday, April 2, 2019/Notices

12599

would make construction of future levee lifts eligible for future budget requests.

The significant issues that are likely to be analyzed in depth in the DGRR-EIS include: Climate; relative sea level rise; levee consolidation and compaction; annual probability of failure; life loss; economic damages; geology and soils; hydrology and hydraulics; water resources; forest and wetland resources; uplands; fisheries; essential fish habitat; wildlife; invasive species; threatened and endangered species; cultural and historical resources; scenic and aesthetic resources; recreation; air quality; noise; transportation; population and housing; employment, business, and industrial activity; public facilities and services; community and regional growth; tax revenue and property values; community cohesion; environmental justice; and hazardous, toxic, and radioactive waste.

3. *Alternatives.* The USACE will evaluate a range of alternatives for the proposed action including structural and nonstructural measures. The USACE will fully evaluate reasonable and practicable alternatives, including the no action alternative. Alternatives may result in avoidance, minimization, and mitigation measures to reduce or offset any impacts.

4. *Public Involvement.* Public involvement, an essential part of the NEPA process, is integral to assessing the environmental consequences of the proposed action and improving the quality of the environmental decision making. The public includes affected and interested Federal, state, and local agencies, Indian tribes, concerned citizens, stakeholders, and other interested parties. Public participation in the NEPA process will be strongly encouraged, both formally and informally, to enhance the probability of a more technically accurate, economically feasible, and socially acceptable EIS. Public involvement will include, but is not limited to: Information dissemination; identification of problems, needs, and opportunities; idea generation; public education; problem solving; providing feedback on proposals; evaluation of alternatives; conflict resolution; public and scoping notices and meetings; public, stakeholder, and advisory groups consultation and meetings; and making the EIS and supporting information readily available in conveniently located places, such as libraries and on the world wide web.

5. *Scoping.* Scoping, an early and open process for identifying the scope of significant issues related to the proposed action to be addressed in the

EIS, will be used to: (a) Identify the affected public and agency concerns; (b) facilitate an efficient EIS preparation process; (c) define the issues and alternatives that will be examined in detail in the EIS; and (d) save time in the overall process by helping to ensure that the draft EIS adequately addresses relevant issues.

A Scoping Meeting Notice announcing the locations, dates and times for scoping meetings is anticipated to be posted on the project website, <https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/> and through various advertising avenues widely available to the public no later than 15 days prior to the meeting dates.

6. *Environmental Consultation and Review.* The USACE will serve as the lead Federal agency in the preparation of the DGRR-EIS. Other Federal and/or state agencies may participate as cooperating and/or commenting agencies throughout the study process. The U.S. Fish and Wildlife Service (USFWS) will assist in documenting existing conditions and assessing effects of project alternatives through the Fish and Wildlife Coordination Act consultation procedures. In addition, because the proposed project may affect federally listed species, the USACE will consult with the USFWS and the National Marine Fisheries Service (NMFS) in accordance with the Endangered Species Act, Section 7. The USACE will consult the NMFS regarding the effects of the project on Essential Fish Habitat per the Magnuson-Stevens Fishery Conservation and Management Act. The USACE will also consult with affected Federally Recognized Tribes. Other environmental review and consultation requirements for the proposed project include the need for Louisiana Department of Environmental Quality Clean Water Act Section 401 water quality certification and Clean Air Act coordination. The USACE will also consult with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act concerning properties listed or potentially eligible for listing. The USACE will also coordinate with the Louisiana Department of Natural Resources for coastal zone management consistency per the Coastal Zone Management Act.

7. *Availability.* The USACE currently estimates that the DGRR-EIS will be available for public review and comment in December 2019. At that time, the USACE will provide a 45-day public review period for individuals and agencies to review and comment.

The USACE will notify all interested agencies, organizations, and individuals of the availability of the draft document at that time.

Brenda S. Bowen,
Army Federal Register Liaison Officer.
[FR Doc. 2019-06354 Filed 4-1-19; 8:45 am]
BILLING CODE 3720-58-P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Notice of Intent To Prepare a Draft Environmental Impact Statement for the West Bank and Vicinity General Reevaluation Report, Louisiana

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers, New Orleans District (USACE) intends to prepare a Draft Integrated General Reevaluation Report and Environmental Impact Statement (DGRR-EIS) for the West Bank and Vicinity Coastal Storm Risk Management Project. The study seeks to determine if the work necessary to sustain the 1% level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified.

ADDRESSES: Questions or comments about the proposed action or requests to be added to the project mailing list should be directed to Mr. Bradley Drouant, P.E., CEMVN-PMO-L, Room 361, 7400 Leake Avenue, New Orleans, LA 70118; CEMVN-WBVGRH@usace.army.mil. For additional information, please visit the following website: <https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/>.

FOR FURTHER INFORMATION CONTACT: Mr. Bradley Drouant, (504) 862-1516.

SUPPLEMENTARY INFORMATION: The lead agency for this proposed action is the USACE. The Louisiana Coastal Protection and Restoration Authority (CPRA) is the non-Federal sponsor.

1. *Authority.* The USACE is preparing the DGRR-EIS under the authority of Section 3017 of WRRDA 2014. Public Law 115-123 (Bipartisan Budget Act of 2018) funded the study as a new start. The study phase is 100% federal funding.

2. *Background.* The devastation to New Orleans and the Gulf Coast from Hurricanes Katrina and Rita included the loss of over 1,800 lives, it

temporarily and permanently displaced many thousands of residents, and resulted in estimated property damages in excess of \$40 billion in New Orleans and as much as \$100 billion along the Gulf Coast.

After the devastation of the 2005 hurricane season, the U.S. embarked on one of the largest civil works projects ever undertaken, at an estimated cost of \$14 billion. The project included restoration, accelerated construction, improvements, and enhancements of various risk reduction projects within southeastern Louisiana, including the Lake Pontchartrain and Vicinity, Louisiana Project (LPV) and the West Bank and Vicinity, Louisiana Project (WBV), jointly referred to as the Greater New Orleans Hurricane and Storm Damage Risk Reduction System (HSDRRS). The completion of the levees, floodwalls, gates, and pumps that together form the HSDRRS brought 100-year level of hurricane and storm damage risk reduction to the areas within LPV and WBV.

Southeast Louisiana, including the Greater New Orleans area, is generally characterized by weak soils, general subsidence, and the global incidence of sea level rise that will cause levees to require future lifts to sustain performance of the HSDRRS. The HSDRRS project authority did not provide for future lifts. Engineering analysis indicates the HSDRRS will no longer provide 1% level of risk reduction as early as 2023. Absent future levee lifts to offset consolidation, settlement, subsidence, and sea level rise, risk to life and property in the Greater New Orleans area will progressively increase. USACE will notify FEMA once the system no longer provides the 1% level of risk reduction, which may result in the loss of accreditation required for participation in the National Flood Insurance Program.

The DGRR-EIS seeks to determine if the work necessary to sustain the 1% level of risk reduction is technically feasible, environmentally acceptable, and economically justified. The study will also consider other levels of risk reduction. A positive determination would make construction of future levee lifts eligible for future budget requests.

The significant issues that are likely to be analyzed in depth in the DGRR-EIS include: Climate; relative sea level rise; levee consolidation and compaction; annual probability of failure; life loss; economic damages; geology and soils; hydrology and hydraulics; water resources; forest and wetland resources; uplands; fisheries; essential fish habitat; wildlife; invasive

species; threatened and endangered species; cultural and historical resources; scenic and aesthetic resources; recreation; air quality; noise; transportation; population and housing; employment, business, and industrial activity; public facilities and services; community and regional growth; tax revenue and property values; community cohesion; environmental justice; and hazardous, toxic, and radioactive waste.

3. Alternatives. The USACE will evaluate a range of alternatives for the proposed action including structural and nonstructural measures. The USACE will fully evaluate reasonable and practicable alternatives, including the no action alternative. Alternatives may result in avoidance, minimization, and mitigation measures to reduce or offset any impacts.

4. Public Involvement. Public involvement, an essential part of the NEPA process, is integral to assessing the environmental consequences of the proposed action and improving the quality of the environmental decision making. The public includes affected and interested Federal, state, and local agencies, Indian tribes, concerned citizens, stakeholders, and other interested parties. Public participation in the NEPA process will be strongly encouraged, both formally and informally, to enhance the probability of a more technically accurate, economically feasible, and socially acceptable EIS. Public involvement will include, but is not limited to: Information dissemination; identification of problems, needs, and opportunities; idea generation; public education; problem solving; providing feedback on proposals; evaluation of alternatives; conflict resolution; public and scoping notices and meetings; public, stakeholder, and advisory groups consultation and meetings; and making the EIS and supporting information readily available in conveniently located places, such as libraries and on the world wide web.

5. Scoping. Scoping, an early and open process for identifying the scope of significant issues related to the proposed action to be addressed in the EIS, will be used to: (a) Identify the affected public and agency concerns; (b) facilitate an efficient EIS preparation process; (c) define the issues and alternatives that will be examined in detail in the EIS; and (d) save time in the overall process by helping to ensure that the draft EIS adequately addresses relevant issues.

A Scoping Meeting Notice announcing the locations, dates and times for scoping meetings is

anticipated to be posted on the project website, <https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/> and through various advertising avenues widely available to the public no later than 15 days prior to the meeting dates.

6. Environmental Consultation and Review. The USACE will serve as the lead Federal agency in the preparation of the DGRR-EIS. Other Federal and/or state agencies may participate as cooperating and/or commenting agencies throughout the study process. The U.S. Fish and Wildlife Service (USFWS) will assist in documenting existing conditions and assessing effects of project alternatives through the Fish and Wildlife Coordination Act consultation procedures. In addition, because the proposed project may affect federally listed species, the USACE will consult with the USFWS and the National Marine Fisheries Service (NMFS) in accordance with the Endangered Species Act, Section 7. The USACE will consult the NMFS regarding the effects of the project on Essential Fish Habitat per the Magnuson-Stevens Fishery Conservation and Management Act. The USACE will also consult with affected Federally Recognized Tribes. Other environmental review and consultation requirements for the proposed project include the need for Louisiana Department of Environmental Quality Clean Water Act Section 401 water quality certification and Clean Air Act coordination. The USACE will also consult with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act concerning properties listed or potentially eligible for listing. The USACE will also coordinate with the Louisiana Department of Natural Resources for coastal zone management consistency per the Coastal Zone Management Act.

7. Availability. The USACE currently estimates that the DGRR-EIS will be available for public review and comment in December 2019. At that time, the USACE will provide a 45-day public review period for individuals and agencies to review and comment. The USACE will notify all interested agencies, organizations, and individuals of the availability of the draft document at that time.

Brenda S. Bowen,
Army Federal Register Liaison Officer.
[FR Doc. 2019-06352 Filed 4-1-19; 8:45 am]

BILLING CODE 3720-58-P

3.1.2 NOTICE OF AVAILABILITY – 13 DECEMBER 2019



Federal Register / Vol. 84, No. 240 / Friday, December 13, 2019 / Notices

68169

Signed in Washington, DC, on November 26, 2019.

John Bashista,
Director, Office of Acquisition Management,
Department of Energy.

[FR Doc. 2019-26908 Filed 12-12-19; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[E-R-FRL-9048-4]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information 202-564-5632 or <https://www.epa.gov/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 12/02/2019 10 a.m. ET Through 12/09/2019 10 a.m. ET

Pursuant to 40 CFR 1506.9.

Notice: Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxnodenr.epa.gov/cdx-enepa-public/action/eis/search>.

EIS No. 20190288, Draft, USFS, AZ, Pinto Valley Mine, *Comment Period Ends:* 01/27/2020, *Contact:* Judd Sampson 602-525-1914.

EIS No. 20190289, Draft, NOAA, FL, Coral Reef Conservation Program Programmatic Environmental, Impact Statement, *Comment Period Ends:* 01/27/2020, *Contact:* Elizabeth Fahey 301-427-8632.

EIS No. 20190290, Draft, USACE, NE, US-275 West Point to Scribner Expressway, *Comment Period Ends:* 01/27/2020, *Contact:* Phil Rezac 402-896-0896.

EIS No. 20190291, Draft, USFS, AZ, Tonto National Forest Plan Revision, *Comment Period Ends:* 03/12/2020, *Contact:* Kenna Belsky 602-225-5200.

EIS No. 20190292, Draft, USACE, LA, West Bank and Vicinity, Louisiana, General Re-Evaluation Report, *Comment Period Ends:* 02/07/2020, *Contact:* Bradley Drouant 504-862-1516.

EIS No. 20190293, Draft, USACE, LA, Lake Pontchartrain and Vicinity Draft General Re-Evaluation Report with Integrated EIS, *Comment Period Ends:* 02/07/2020, *Contact:* Bradley Drouant 504-862-1516.

Amended Notice

EIS No. 20190256, Draft Supplement, NASA, CA, Draft Supplemental Environmental Impact Statement for

Soil Cleanup Activities at Santa Susana Field Laboratory, *Comment Period Ends:* 01/08/2020, *Contact:* Peter Zorba msfc-sfll-information@mail.nasa.gov, Revision to FR Notice Published 10/25/2019; Extending the Comment Period from 12/9/2019 to 1/8/2020.

EIS No. 20190261, Draft, USAF, NM, Special Use Airspace Optimization Holloman Air Force Base, New Mexico, *Comment Period Ends:* 01/31/2020, *Contact:* Robin Divine 210-925-2730, Revision to FR Notice Published 11/01/2019; Extending the Comment Period from 12/16/2019 to 1/31/2020.

EIS No. 20190282, Draft, USA, LA, Amite River and Tributaries East of Mississippi River, Louisiana, *Comment Period Ends:* 01/13/2020, *Contact:* US Army Corps of Engineers 504-862-1014, Revision to FR Notice Published 11/29/2019; Correcting Lead Agency from USA to USACE.

Dated: December 9, 2019.

Robert Tomiak,
Director, Office of Federal Activities.

[FR Doc. 2019-26879 Filed 12-12-19; 8:45 am]

BILLING CODE 6560-50-P

EXPORT-IMPORT BANK

[Public Notice: 2019-6028]

Agency Information Collection Activities: Comment Request

AGENCY: Export-Import Bank of the United States.

ACTION: Submission for OMB review and comments request.

SUMMARY: The Export-Import Bank of the United States (EXIM Bank), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal Agencies to comment on the proposed information collection, as required by the Paperwork Reduction Act of 1995.

DATES: Comments must be received on or before February 11, 2020 to be assured of consideration.

ADDRESSES: Comments may be submitted electronically on WWW.REGULATIONS.GOV or by mail to Smaro Karakatsanis, Export-Import Bank of the United States, 811 Vermont Ave. NW, Washington, DC 20571.

SUPPLEMENTARY INFORMATION: The Export-Import Bank has made changes to the form to reflect an application process decoupled from the SBA's export working capital program. EXIM will also be moving forward to an

electronic application submission process, which results in a stand-alone application versus the previous joint application with the SBA. Therefore, all references and information previously required from the SBA have been removed. There is one material change in the application to reflect EXIM's local cost support on short-term transactions, including working capital. Local costs are costs incurred in the buyer's country (i.e. local delivery, installation, taxes), eligible for EXIM cover, provided that: U.S. content requirements are met; included within the contracts; do not exceed 15% of export contract; and no local goods are included. Therefore, three questions are added to the application: Are local costs to be included under the working capital loan facility; if yes, how much in terms of USD or percentage per contract or invoice; and what is the nature of the local costs to be supported?

The application tool can be reviewed at: <https://www.exim.gov/sites/default/files/pub/pending/eib84-01.pdf>.

Title and Form Number: EIB 84-01 Application for Export Working Capital Guarantee.

OMB Number: 3048-0013.

Type of Review: Renewal.

Need and Use: This form provides EXIM Bank staff with the information necessary to determine if the application and transaction is eligible for EXIM Bank assistance under their export working capital guarantee program.

Affected Public

This form affects entities involved in the export of U.S. goods and services.

EXIM Bank

Annual Number of Respondents: 200.

Estimated Time per Respondent: 2 hours.

Annual Burden Hours: 400 hours.

Frequency of Reporting of Use: Annually.

Government Expenses

EXIM Bank

Reviewing time per year: 300 hours.

Average Wages per Hour: \$42.50.

Average Cost per Year (time * wages): \$12,750.00.

Benefits and Overhead: 20%.

Total Government Cost: \$15,300.00.

Bassam Doughman,
IT Project Manager, Office of the Chief Information Officer.

[FR Doc. 2019-26516 Filed 12-12-19; 8:45 am]

BILLING CODE 6690-01-P

3.2 PUBLIC WEBSITE

Project information, including review plan, public meeting information, presentations, fact sheets, and draft report available online at:

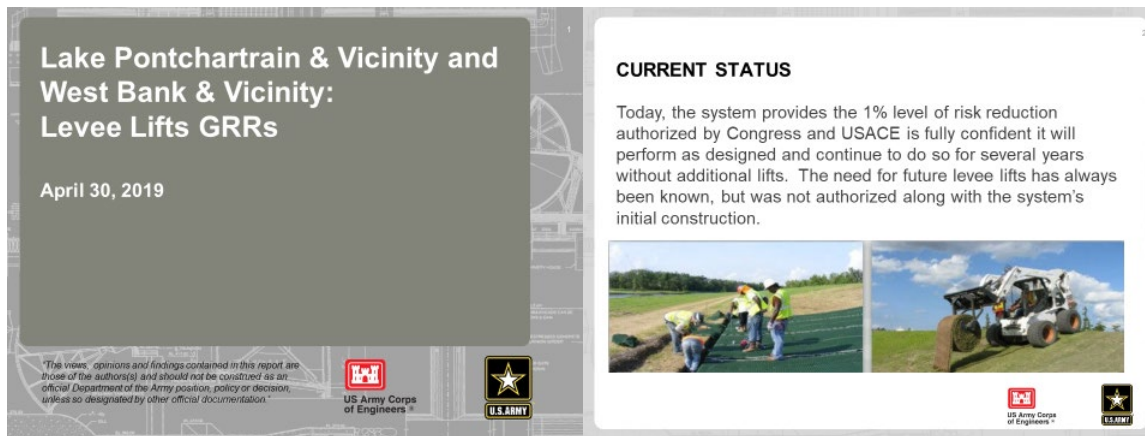
<https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/WBV-GRR/>

3.3 OVERVIEW OF PUBLIC MEETINGS

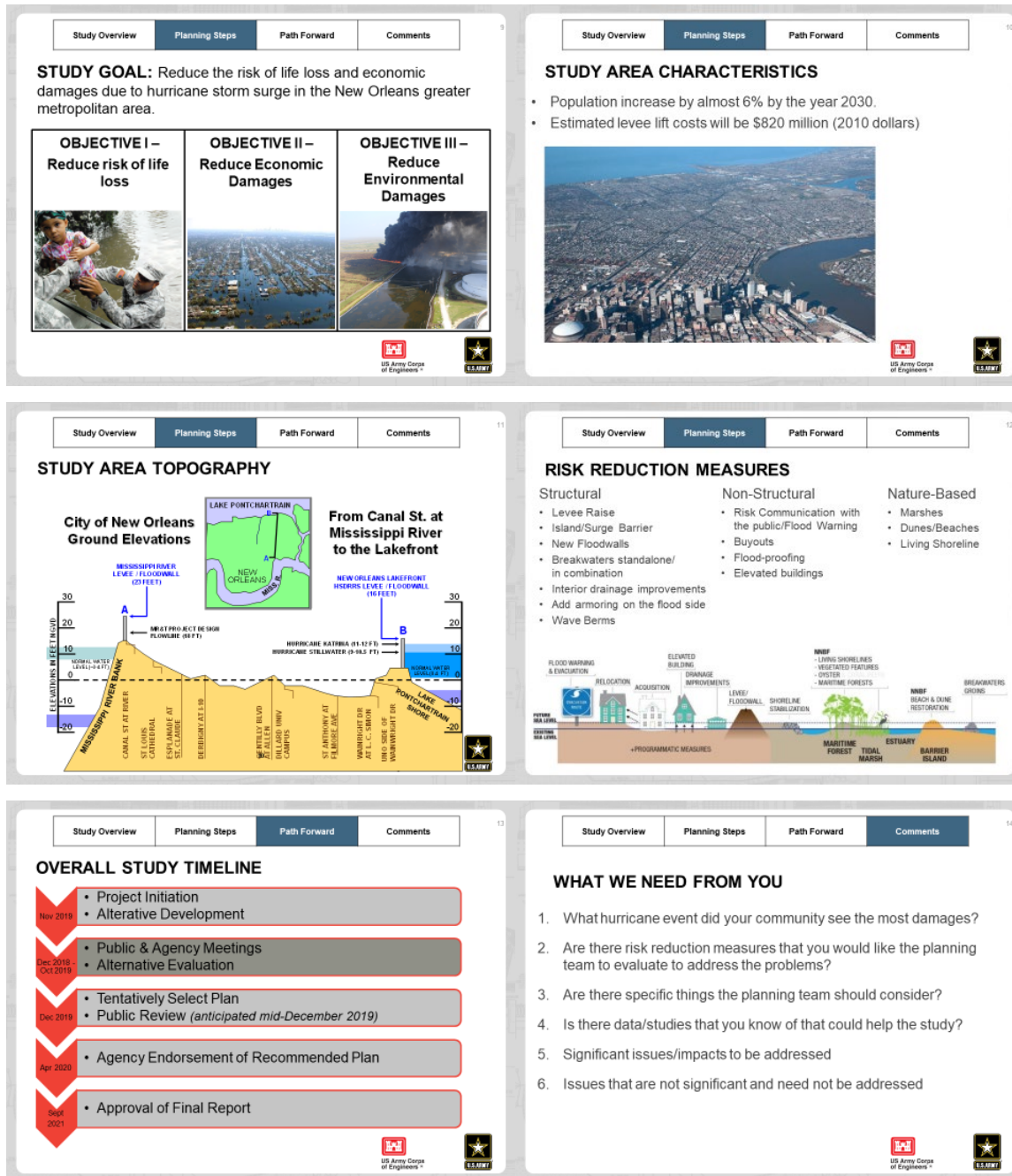
Date	Location	Number of Attendees
30 April 2019 Public Meeting	Cut-off Recreational Center 6400 Belgrade Street Algiers, LA 70131 2 to 3:30 pm	~20
21 January 2020	Cutoff Recreation Center 6400 Belgrade Street Algiers, LA 70131 Attendee List	~5

3.3.1 PUBLIC MEETING 30 APRIL 2019

3.3.1.1 PRESENTATION SLIDES FROM PUBLIC MEETING



Study Overview	Planning Steps	Path Forward	Comments
<h2 style="margin: 0;">MEETING PURPOSE</h2> <ul style="list-style-type: none"> As part of the scoping process, we need your input on: <ul style="list-style-type: none"> Significant issues/impacts to be addressed in the EIS Potential project features/alternatives Data sources Issues that are not significant and need not be addressed As part of the development of an Environmental Impact Statement (EIS), the National Environmental Policy Act (NEPA) requires an early and open process for determining the scope of the issues to be addressed General Reevaluation Report (GRR): a study to affirm, reformulate, or modify an existing plan. Similar to a feasibility study. 			
<h2 style="margin: 0;">AGENCY PARTNERSHIP & COORDINATION</h2> <h3 style="margin: 0;">Non-Federal Sponsor</h3> <p style="margin: 0;">Coastal Protection and Restoration Authority (CPRA)</p> <ul style="list-style-type: none"> Feasibility cost-share agreement was executed on October 09, 2018. <h3 style="margin: 0;">Permitting & Advisory Agencies:</h3> <div style="display: flex; flex-wrap: wrap; justify-content: space-around;"> </div>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p style="font-size: small;">LPV Study Area WBV Study Area</p> </div> <div style="width: 48%;"> <h3 style="margin: 0;">TERMS & DEFINITIONS</h3> <p style="margin: 0;">Sea Level Rise + Subsidence = Relative Sea Level Rise</p> <div style="display: flex; align-items: center;"> <div style="text-align: center; margin-right: 20px;"> <p style="color: blue;">Sea level rise 1.3-3.6 ft./50-year</p> </div> <div style="text-align: center;"> <p style="color: red;">Subsidence 1.5-4.75 ft./50-year</p> </div> </div> <p style="margin: 0;">*Note: Because of the age of the levees, the topography, bathymetry, and other factors, the levee settlement rates are not equal across the system.</p> </div> </div>			
<h2 style="margin: 0;">WHY ARE FUTURE LEVEE LIFT REQUIRED?</h2> <div style="display: flex;"> <div style="flex: 1;"> <p style="font-size: small;">Multiple Lift vs. Single Lift Construction Compared</p> </div> <div style="flex: 1; padding-left: 20px;"> <p>While the LPV and WBV projects provided the 1% level of risk reduction when construction was completed, additional future levee lifts will be required to offset expected consolidation, settlement, subsidence, and sea level rise which will cause levee reaches within the system to fall below the required elevation necessary to provide 1% risk reduction.</p> </div> </div>			
<h2 style="margin: 0;">AUTHORITY</h2> <p style="margin: 0;">Section 3017 of WRRDA 2014 authorizes the Secretary of the Army to carry out measures that address consolidation, settlement, subsidence, sea level rise, and new datum to restore certain federally authorized hurricane and storm damage reduction projects to their authorized levels of protection, if the Secretary determines the necessary work is <i>technically feasible, environmentally acceptable, and economically justified</i>.</p> <p style="margin: 0;">In 2018, Congress provided appropriations via the Bipartisan Budget Act to conduct the two General Reevaluation Report and Supplemental Environmental Impact Statements necessary to inform this determination.</p>			





Study Overview Planning Steps Path Forward Comments

COMMENTS & QUESTIONS

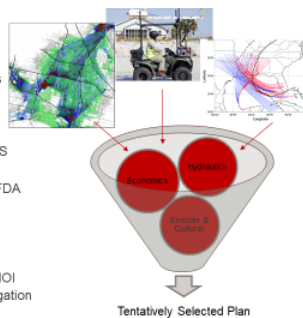
Comments or information can be provided to:
 U.S. Army Corps of Engineers, New Orleans District
 C/O Mr. Bradley Drouant, P.E.
 CEMVN-PMO-L
 7400 Leake Avenue
 New Orleans, LA 70118



Or by email to
CEMVN-WBVGRR@usace.army.mil
CEMVN-LPVGRR@usace.army.mil

PATH FORWARD

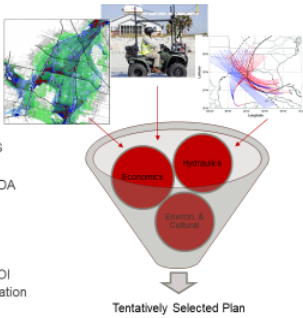
- Geotech
 - Levee consolidation curves updates
- H&H
 - Breach and overtopping modeling
 - Sea level rise scenarios
 - Inundation mapping using HEC-RAS
- Economics
 - Structure inventory updates, HEC-FDA
 - LifeSim
 - NED benefit quantification
 - Environmental Justice
- Environmental
 - Prepare NEPA document, publish NOI
 - Determine quantity and cost of mitigation
- Levee Safety
 - Semi-Quantitative Risk Assessment for levees
 - Identify alternative below tolerable risk guideline





PATH FORWARD

- Geotech
 - Levee consolidation curves updates
- H&H
 - Breach and overtopping modeling
 - Sea level rise scenarios
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 - Prepare NEPA document, publish NOI
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- Levee Safety
 - Semi-Quantitative Risk Assessment for levees
 - Identify alternative below tolerable risk guideline



3.3.1.2 PHOTOS FROM PUBLIC MEETING



3.3.2 PUBLIC MEETING 22 JANUARY 2020

Jan. 22, 2020

Cutoff Recreation Center

6400 Belgrade Street Algiers, LA 70131 Attendee List

3.3.2.1 ATTENDEE LIST SIGN-IN SHEET

US Army Corps of Engineers
New Orleans District

AT

Date: 21 January 2020

	Name	Organization
1	Justin Merrifield	CPRA
2	Wes LeBlanc	CPRA
3	Lauren Hatten	USACE
4	SIM GOODWIN	APA
5	Max Agnew	USACE
6		
7		
8		
9		
10		
11		
12		
13		
14		

3.3.2.2 PRESENTATION SLIDES 22 JANUARY 2020

West Bank & Vicinity General Reevaluation Report

Public Information Meeting for the Draft Report

New Orleans District
January 21, 2020

"The views, opinions and findings contained in this report are those of the author(s) and should not be construed as an official Department of the Army position, policy or decision, unless so designated by other official documentation."




PUBLIC INFORMATION MEETING

2020

Agenda

- FAQs
- Corps Study Process
- Project Background
- Alternatives Considered
- Tentatively Selected Plan
- Next Steps: Project Schedule
- Public Comment Period

Information Posters & Tables

Submitting Comments

- Email: CEMVN-WBVGRR@usace.army.mil
- Court Reporter available tonight





FAQS

- Does the HSDRRS currently provide the 1% level of risk reduction?
- Why weren't the levees/floodwalls built higher to begin with?
- Why didn't this study begin until 2018 when the need for future levee lifts was always known?
- Why is the study important?
- When would construction begin?




MEETING PURPOSE / WHAT WE NEED FROM YOU

- **Inform the public**
 - Provide background on study
 - Discuss alternatives evaluated
 - Present "Tentatively Selected Plan"
- **Solicit your input**
 - Issues and concerns
 - Formulation and evaluation of alternatives
 - Tentatively Selected Plan




CORPS STUDY PROCESS

Study Overview	Planning Steps	Path Forward	Comments
Scoping	Alternative Evaluation & Analysis	Feasibility Analysis of Selected Plan	Final Report

- Scoping**
 - Data gathering
 - Request public input on study area issues for consideration
- Alternative Evaluation & Analysis**
 - Evaluate alternatives
 - Recommend a plan
 - Draft report / National Environmental Policy Act (NEPA) document
 - Opportunity for public review & comment
- Feasibility Analysis of Selected Plan**
 - Additional design refinements & analysis
 - Finalize report and release for public review
- Final Report**
 - Send final report to Congress for approval and funding

Current Stage




AGENCY PARTNERSHIP & COORDINATION

Non-Federal Sponsor

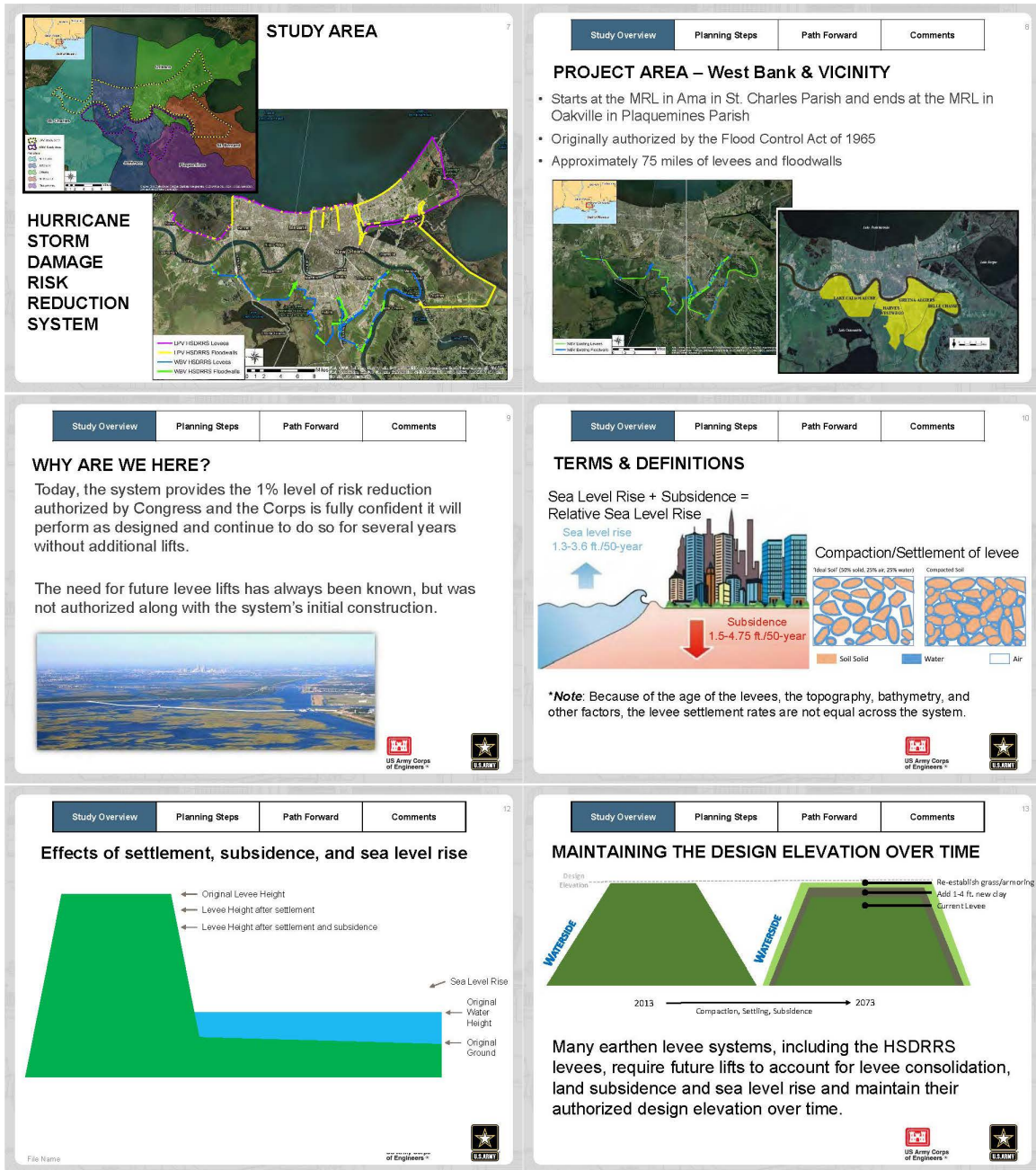
Coastal Protection and Restoration Authority (CPRA)



Permitting & Advisory Agencies







Study Overview	Planning Steps	Path Forward	Comments
14			
WHY CONSTRUCT IN LIFTS?			
<div><div><div>Current Methodology - Multiple Lifts Lake Catawacha Levee Enlargement</div><div>Quantity: 4,159,427 Est. Cost: \$80.03 (Construction Only)</div><div></div></div><div><div>A Single Lift Scenario Lake Catawacha Levee Enlargement</div><div>Quantity: 12,554,000 Est. Cost: \$200.00 (Construction Only)</div><div></div></div></div> <div>Multiple Lift vs. Single Lift Construction Compared</div> <div></div> <div></div>			

Study Overview	Planning Steps	Path Forward	Comments
15			
Study Purpose			
<ul style="list-style-type: none">The study will reevaluate the performance of the WBV project given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time.			
Study Area Problems			
<ul style="list-style-type: none">Increased risk of overtopping of WBV levees during hurricane and tropical storm events.Increased risk to life safety and storm-related economic damages.			
Study Objectives			
<ul style="list-style-type: none">Reduce economic damages and risk of life loss due to hurricane and tropical storm damage.			
<div></div> <div></div>			


Study Overview	Planning Steps	Path Forward	Comments
16			
PLAN FORMULATION PROCESS			
<div><div>Measure Identification</div><ul style="list-style-type: none">Utilized existing infrastructure, existing reports, and subject matter expertiseStructural, Non-Structural, Natural and Nature Based Solutions<div>Measure Screening</div><ul style="list-style-type: none">13 measures identifiedEvaluated using professional judgment, existing data, cost/benefit, meets objectives4 measures screened from further analysis<div>Alternative Formulation</div><ul style="list-style-type: none">6 formulation strategies4 screened from further analysis<div>Final Array</div><div>2 Final</div></div> <div></div> <div></div>			

Study Overview	Planning Steps	Path Forward	Comments
17			
MEASURES			
<div><div>Structural</div><ul style="list-style-type: none">Levee liftSurge BarrierNew floodwallsBreakwatersInterior drainage improvementsAdd armoring at the flood sideWave berms</div> <div><div>Non-Structural</div><ul style="list-style-type: none">Risk CommunicationBuyoutsFlood-proofingElevated buildings</div> <div><div>Nature-Based</div><ul style="list-style-type: none">MarshesDunes/BeachesLiving Shoreline</div>			
<div></div> <div></div>			

Study Overview	Planning Steps	Path Forward	Comments
18			
ALTERNATIVES CONSIDERED			
<ul style="list-style-type: none">No Action AlternativeAlternative 1: System Levee Lifts to the Projected 1% AEP Event at 2057Alternative 2: System Levee Lifts to the Projected 1% AEP Event at 2073Alternative 3: System Levee Lifts at 2073 that Maximize BenefitsAlternative 4: Selective Levee LiftsAlternative 5: Non-StructuralAlternative 6: Sponsor Plan			
<div></div> <div></div>			

Study Overview	Planning Steps	Path Forward	Comments
19			
EVALUATION OF ALTERNATIVES			
<ul style="list-style-type: none">Hydrology & hydraulics modelingCost estimatesEconomic benefits (damages reduced)Environmental impacts (mitigation)Real estate considerationsReductions in life safety riskReduction in risk to critical infrastructure			
<div></div> <div></div> <div></div>			

Study Overview	Planning Steps	Path Forward	Comments
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TENTATIVELY SELECTED PLAN

- 82 miles of levee lifts and 1 mile of floodwall modifications/replacements along existing WBV alignment
- Estimated total cost: ~\$613 million

Study Overview	Planning Steps	Path Forward	Comments
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NEXT STEPS

- Final General Reevaluation Report**
 - Response to public comments included
 - Refined design based on additional analysis
 - Final plan sent to Congress
- Congressional Authorization & Appropriation**
 - Congress approves construction through a Water Resources Development Act
 - Funding occurs separately through federal and state budgeting processes
- Design Phase**
 - Additional survey and data collection to support design refinement
- Construction (Phased)**
 - Construction contracts awarded and managed by the Corps

Study Overview	Planning Steps	Path Forward	Comments
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HOW TO COMMENT

Send your comments by February 7, 2020

Mail:
 U.S. Army Corps of Engineers, New Orleans District
 C/O Mr. Bradley Drouant, P.E.
 CEMVN-PMO-L, Room 361
 7400 Leake Avenue
 New Orleans, LA 70118

Email:
 CEMVN-WBVGRR@usace.army.mil

A Court Reporter is available tonight to accept verbal comments

3.4 COMMENTS RECEIVED AND RESPONSES

3.4.1 SCOPING COMMENTS RECEIVED & RESPONSES – APRIL 2019

The following comments were directed to CEMVN Public Affairs Officer (PAO) and CEMVN PAO and PM responses back to the Times Picayune newspaper are provided in red.

Is there a document/documents that have already been completed that outline where things stand for both? **No.**

Has there been any memo issued outlining the limitations to be required for these two studies?

There is implementation guidance.

Were these two studies requested by CPRA? Regional levee authorities? Are there documents for that?

No, they were authorized by Congress in WRRDA 2014 Sec 3017 and received appropriations from BBA18.

Were these first covered in a HSDRRS study? Since they are a re-evaluation what was the first evaluation?

There was not a HSDRRS study, because Congress authorized and appropriated funds without a report or requiring a benefit/cost analysis.

In 2015, I wrote a story about a corps presentation to the east bank authority that seemed to be about this study for the east bank, at least, and tagged the cost of the study at \$10-20 million, and said it should be finished by 2018 in order to give public, FEMA time to review it, etc, in advance of 2023 recertification.

Do you expect the reviews announced in these notices will include all the provisions discussed in that meeting?

No, the items discussed in that article largely involve re-running the ADCIRC model which does not fit within the smart planning \$3M budget and 3 year schedule of the GRRs. They will utilize the existing ADCIRC models with some modifications. Recertification is a responsibility of the non-Federal Sponsor and is also not part of this effort.

With the language in the notice saying the study may show parts of the system will no longer meet 1 percent requirements by 2023, is it your belief that there will be enough time between its completion and the recertification deadline to address low areas in the system?

The 2023 date is an estimate based on existing data and previous settlement curves. The study is gathering new levee elevation data (to include some work done by the NFS) that may extend the timeline the levees remain above the 1% design elevations. Even if a portion of a levee reach were to fall below the 1% design elevation engineering analysis would be required to determine whether or not the system continued to provide the 1% level of risk reduction.

Are each of the levee systems expecting that present lift efforts associated with armoring will meet that goal? Do you already know other things that need to be done? Or are you expecting this new study to identify those issues and address them as future Corps projects?

The non-Federal sponsor has taken actions to raise some of the levees previously expected to be the first requiring future lifts. No new settlement curves have been generated by USACE at

this time to determine how long those reaches will remain above the 1% design heights. Additional alternatives to sustain the 1% elevation may be identified by the study.

And, Matt, can I get a copy of the engineering analysis that the corps cites in its notice as showing the 1 percent standard might not be met by 2023?

Smart planning relies on the use of existing data to complete studies in a timely and cost efficient matter, the 2023 date is an estimate based on available data at the time the NOI was published.

And if the EIS/study finds additional work must be done, would that be sent to Congress as a proposed project in a chief's report, assuming it's given a positive benefit/cost analysis? And if so, how quickly could work be started/completed to meet flood insurance requirements?

WRRDA 2014 Sec 3017 provides construction authorization provided that the project is found to be technically feasible, environmentally acceptable, and economically justified through 10 June 2024. Potential implementation would be subject to appropriations and the authority's termination date.

As you will be aware, the State of Louisiana is currently in the process of putting out to bid for the Mid-Barataria and Mid-Breton sediment diversion projects. I was wondering whether the Corps will be taking the effects that these structures will undoubtedly have on river flow and volume into account when designing the levee lifts. Further, might these structures function in a similar way to the Bonnet Carre spillway when the river is high, providing additional flood control mechanisms?

The LPV and WBV GRR studies are authorized to consider alternatives related to Hurricane and Storm Damage Risk Reduction. I can't speak to what the State may or may not utilize the diversion structures for, but riverine flooding falls under a different Federal project the Mississippi River and Tributaries (MR&T) project (i.e. river levees). The diversions are unlikely to be impacted by this study as they are outside our project area. I would not anticipate the diversions would be used during hurricanes, the details of how they are operated will be reviewed as part of the State's 408 permit request to the Corps seeking to modify the MR&T project.

Back in 2013, architects Waggoner and Ball released The Greater New Orleans Urban Water Plan, which the City of New Orleans adopted in its most recent Master Plan. The plan recommends a significant overhaul of the system of drainage canals that the Sewerage and Water Board currently operates and maintains. Again, will the Corps be taking the Urban Water Plan into account and coordinating with the City to ensure that the plan matches the Corps own objectives?

I have downloaded the Waggoner and Ball reports and shared them with the team for consideration. If in reviewing alternatives with the highest benefits it appears work on the canals may be required we would certainly consult with the S&WB and City of New Orleans, but work on the canals themselves is unlikely to provide the additional benefits that would be required to justify the expense of altering the existing floodwalls.

Additional Information: It should be noted, the interior drainage analysis was performed to determine if interior drainage function was impacted by HSDRRS construction efforts. Analysis results indicate that each basin performs independently of external water levels. Secondly,

HSDRRS construction has no significant impact on interior water levels or drainage during an event that does not overtop the system.

26 April 2019

WG

Fri 4/26/2019, 9:40 AM

Mr. L'Hoste,

We are performing this study in-house. Thanks for your interest.

Bradley Drouant, P.E.
Senior Project Manager
U.S. Army Corps of Engineers
New Orleans District
504-862-1516

WG

WBV GRR

Brad, Wanted to make sure you saw this... Kip

Fri 4/26/2019, 9:23 AM

TL

Tommy L'Hoste <trl@aimsgroupinc.com>

Wed 4/24/2019, 9:18 AM

WBV GRR; Tommy L'Hoste <trl@aimsgroupinc.com> ▾

Reply all ▾

Bradley Drouant,


Is the referenced study being done in house by the USACE? My firm currently holds one of 4 design contracts with the New Orleans district and I would be very interested in doing this study if it is not too late.

My company has done several feasibility studies for the New Orleans District and we also did the base line Periodic Inspection of the entire HSDRRS system.

Please let me know if there is any opportunity to be involved with the development of this.

Thanks,

Thomas R. L'Hoste, P.E.
President
Office: (504)887-7045
Mobile: (504)382-3659

**AIMS Group, Inc.**
Consulting Engineers
4421 Zenith Street
Metairie, LA 70001

3.4.2 PUBLIC REVIEW OF DRAFT REPORT – 9 DEC 2019 - 7 FEB 2020

3.4.2.1 MEDIA COVERAGE

3.4.2.1.1 9 DECEMBER 2019 TIMES PICAYUNE NEWSPAPER ARTICLE

Available online at:

https://www.nola.com/news/environment/article_a160ff42-1ace-11ea-bd3b-cbcf2a74b089.html

What it'll take to raise New Orleans-area levees: \$3.2 billion, 50-year plan, Corps says

BY MARK SCHLEIFSTEIN | Staff writer

The Army Corps of Engineers has recommended a \$3.2 billion, 50-year plan to elevate both the hurricane-protection levee systems on either side of the Mississippi River and several miles of river levees to keep pace with sinking soils and rising sea level.

In dual reports released Monday, the Corps said its plan, if pursued, would keep levees and floodwalls high enough to reduce flooding caused by storm surges resulting from hurricanes with a 1 percent chance of occurring in any year.



Protection from these so-called 100-year storms was the baseline standard the federal government agreed to provide in building New Orleans' new levee system after Hurricane Katrina.

Keeping the levees that high will guarantee that properties behind the levees would continue to be eligible for flood insurance in the future.

The system must be recertified as meeting those height requirements in 2023, and in announcing it was beginning the study earlier this year, Corps officials said some levees might already be below the 100-year required height by then.

When the study was announced, the Corps initially discounted a more expensive proposal to increase heights of the levee system to protect from a 0.5 percent surge event — a "250-year storm" — as "less efficient" and more costly to build and maintain.

The study was authorized by 2014 congressional legislation aimed at allowing the federal government to pay a portion of the levee lifts if they were found to benefit the national economy. The state will still have to pay 35 percent of the construction costs and all of the costs of operating and maintaining the levee improvements when complete.

When the post-Katrina levee system was built, at a cost of \$14.6 billion, Congress did not include authorization of federal-state cost sharing for elevating the levees to keep up with subsidence and sea level rise.

The east bank and West Bank levee improvement plans are available at the Corps' New Orleans District web site. The agency will schedule public meetings in January to distribute information about the plans and provide opportunities for comments.

According to the Corps, the state Coastal Protection and Restoration Authority will act as the local sponsor for both the east and west bank projects, but construction costs will be shared by the Southeast Louisiana Flood Protection Authorities on the east and west banks: the

Pontchartrain Levee District; Jefferson, Plaquemines, Orleans, St. Bernard and St. Charles parishes; and the New Orleans Sewerage & Water Board.

The biggest chunk of improvements would be aimed at levees overseen by the east bank levee authority. That work would cost \$2.6 billion and would reduce estimated annual storm surge flooding damage to \$30 million, compared to \$230 million a year without the improvements. That would result in a benefit-to-cost ratio of 2.6 to 1, according to the Corps report. That ratio is likely to help in getting congressional approval of the construction plan, and, more important, congressional funding.

The damage estimates are based on the potential effects of hurricane surge water overtopping levees and floodwalls for a 100-year storm. However, the damage estimates would likely increase for surges created by larger storms, which would result in more water deposited within the levee system.

For comparison, Hurricane Katrina was considered a 250-year event for the surge it pushed into St. Bernard Parish and a 150-year event for its surge heights along Lake Pontchartrain.

The report pointed out that while the improvements would also result in a significant net safety increase, storms larger than the 100-year event would still pose a high risk to life “due to the extensive population protected by the levee system, even with good evacuation procedures.”

The east bank improvements would include 50 miles of levee lifts and 19 miles of floodwall modifications and replacements.

Not requiring additional elevation, according to the report, are the new combined levees and floodwalls along Lake Borgne in St. Bernard Parish, or the Lake Borgne Surge Barrier. But several miles of levees and floodwalls along the Mississippi River in St. Bernard would be elevated, as the study concludes that rising sea levels will increase water heights farther upstream during hurricanes than previously believed.

Part of that stretch of river levee already is considered below the 100-year level of risk reduction.

The Corps estimated that east and west bank earthen levee lifts and floodwall height elevations of between 2 feet and 5.1 feet will be required over 50 years, between 2023 and 2073, which is considered the lifespan of the project. That includes between 0.2 feet and 3.3 feet to account for sinking soils, plus an “intermediate” estimate of 1.8 feet for sea level rise, which includes the effects of human-induced global warming.

The Corps chose the intermediate level for sea rise, rather than a worst-case rise of 3.4 feet, which includes the effects of more potential melting of polar ice caps and glaciers around the world. But the estimate could be revisited during the life of the project.

The east bank work will take place in a series of lifts that would occur by decade, with 11 lifts between 2023 and 2033, four lifts between 2034 and 2043, 15 lifts between 2044 and 2053, and three lifts between 2045 and 2065.

On the West Bank, the elevation work will cost \$613 million, which should reduce estimated annual damages from surge-related flooding to \$8 million, compared to the estimated average

\$78 million a year damage cost without the improvements. That damage reduction results in a benefit to cost ratio of 2.4 to 1.

The West Bank levees would require seven lifts totaling 16 miles between 2023 and 2033, 11 lifts for 22 miles between 2034 and 2043, four lifts totaling 14 miles between 2044 and 2053, 13 lifts totaling 27 miles between 2054 and 2064, and two lifts totaling 3 miles between 2065 and 2073.

The West Bank work also would include extending upriver the segment of the Mississippi River in Plaquemines Parish and Algiers that would be elevated to deal with potential storm surges. The Algiers Canal levees also would be raised.

The Corps considered six alternatives in determining its final plan. It dismissed doing nothing as too expensive; including a no-action scenario is a requirement of Corps studies.

It held open an alternative if the state wanted to come up with its own plan, but the state declined to do so. Coastal authority officials did not respond to a request for comment on the Corps plan on Monday.

Also rejected was a proposal to consider only “non-structural” alternatives – such as elevating buildings or relocating businesses or homes. The corps found it was not cost-effective, though some buildings within the two levee systems may still become eligible for such programs in the future to reduce damage costs.

A proposal to simply elevate the system to deal with potential surge height increases through the present life of the levee system, 2056, was rejected as less effective than building to 2073 water height requirements.

Also rejected was a proposal to simply elevate portions of the levee system that seemed most likely to be overtopped in 2073. The report said that would leave a levee system with differing height levels that would be more difficult to manage. Indeed, that would be a throwback to the way the regional levee system was designed and built before Katrina, which a Corps-sponsored forensic investigation said was “a system in name only” that was destined for failure.

A final proposal looked at how to improve the levee system to protect against more dangerous storms. The Corps used the 0.5 percent/250-year surge height alternative to determine whether that alternative would be more cost-effective. The alternative would have increased the construction cost on the east bank by \$348 million and reduced annual damages by \$4 million a year, to \$26 million. But the resulting benefit to cost ratio was less than the 1 percent alternative.

3.4.2.1.2 10 DECEMBER 2019 4WWL-TV

Available online: <https://www.wvltv.com/article/news/local/orleans/army-corps-recommends-32-billion-levee-protection-plan-for-new-orleans/289-6b19c0c8-2365-411b-bfa6-f97d7a9176db>

Army Corps recommends \$3.2 billion levee protection plan for New Orleans: The Army Corps of Engineers' 50-year plan will help New Orleans levees keep pace with rising sea levels and sinking soil.

Author: Paul Murphy / Eyewitness News

Published: 6:18 PM CST December 10, 2019

Updated: 6:19 PM CST December 10, 2019

NEW ORLEANS — In New Orleans, residents just wrapped up the first hurricane season where the Army Corps of Engineers could not guarantee the level of risk reduction it promised in 2007.

This despite the fact that the Corps just completed an 11-year, \$14.6 billion project to repair and restore regional flood protection following Hurricane Katrina.

Of primary concern are the earthen levees. They form the backbone of the 350-mile maze of protection that includes concrete floodwalls, pump stations and gated structures.

Sea-level rise and Southeast Louisiana's soft, subsiding soils have caused earthen levees to sink faster than expected.

The fear is soon the levee system won't be able to protect against a 100-year storm, which it is now designed to do.

The Corps of Engineers has released a draft study showing the need to spend \$3.2 billion to raise the level of the levees on both sides of the Mississippi River over the next 50 years.

The east bank improvements would include 50 miles of levee lifts and 19 miles of floodwall modifications and replacements.

Several miles of levees and floodwalls along the Mississippi River in St. Bernard Parish would also be elevated.

The west bank improvements consist of 66 miles of levee lifts and about a mile of floodwall improvements.

State and local governments would have to pick up 35-percent of the cost of construction.

The corps is now in the process of collecting public comments on the plan.

3.4.2.1.3 10 DECEMBER 2019 WDSU-NEWS

Available online at: <https://www.wdsu.com/article/corps-to-ask-feds-to-fund-billions-in-new-louisiana-flood-protection-projects/30189330#>

Corps to ask feds to fund billions in new Louisiana flood protection projects: Studies in public hearing phase

Updated: 8:22 PM CST Dec 10, 2019

Reporter: Jennifer Crockett

According to the Army Corps of Engineers New Orleans district, the risk of flooding in Louisiana is going up as levees are going down. The Corps is conducting a series of five studies in the region to reduce the flood risk.

Across metro New Orleans, the Corps says levees are sinking as the sea level is rising. It is studying the feasibility of lifting the levees in phases over the next 50 years at an estimated cost of \$3.2 billion. The Corps said the work would maintain protection against a 100-year-flood and meet the requirements for national flood insurance coverage.

“Right now, the levee authorities on the east and west banks are paying for levee lifts out of local tax payer dollars, and what the studies are looking at is – is there an economic justification for the federal government to participate in that going forward,” said Bradley Drouant, with the Corps’ New Orleans district. “The good news is, it looks like there is an economic justification for that work.”

But the work doesn't stop in New Orleans. The Corps district is spending \$15 million on a series of five studies in our region right now -- all to fight flooding with federal investments.

In St. Charles Parish, the Corps wants to build a new \$500 million levee to extend an existing levee another 18 miles. If approved and funded, the Upper Barataria construction would run from Hahnville to Raceland, across Bayou Des Allemands. The Corps says the new levee would protect 800,000 people from Gulf storm surge in a 50-year storm.

Along the south-central coast of Louisiana, in St. Martinville, St. Mary and Morgan City, another \$1.4 billion is on the table to raise homes and buffer businesses. The Corps said it would protect about 3,400 structures from flooding.

The Corps is currently hosting public hearings on the potential projects. For more information, [click here](#).

The studies are expected to be complete and presented to Congress as early as 2021.

3.4.3 COMMENTS RECEIVED

3.4.3.1 COURT REPORTER COMMENTS RECEIVED AT PUBLIC MEETINGS – 21 JANUARY 2020

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**WEST BANK & VICINITY
GENERAL REEVALUATION REPORT**

**Public Information Meeting
for the Draft Report
New Orleans District**

**Cutoff Recreation Center
6400 Belgrade Street
New Orleans, Louisiana 70131**

**Tuesday, January 21, 2020
6:00 pm - 8:00 pm
Public Comments**

COMMENT

MS. JENNIFER BLANCHARD:

Let's start with this question.

4 Number one, the levees in the Greater New Orleans
5 area did not fail due to overtopping in Hurricane
6 Katrina thus not leading to loss of life, property
7 damages and displacement. The loss of life, property
8 damages, and displacement were as a result of the
9 failures of the flood walls along the Inner Harbor
10 Navigational Canal, the London Avenue and Seventeenth
11 Street Canal and those failures were a result of
12 different variables but in the case of the Inner
13 Harbor Navigational Canal failures, the levee fails
14 because of work that was done by the Army Corp of
15 Engineers subcontracted to Washington Group
16 International between 2001 and 2004 where Marine
17 Facilities were removed on the east bank industrial
18 area and then the excavations were backfilled with
19 sand. So, to advertise the need for this project as
20 a response to failure of levees as a result of
21 overtopping based on the experience in Katrina would
22 not be factual or accurate, correct?

23 Number two: Where will the levees be
24 lifted -- I think they've answered that question.

25 Are there variations in the percent of

1 protection from one area to another? Where are the
2 lowest levees currently and where will the greatest
3 lifts or heights be achieved?

4 Okay. So, question: How will the
5 lifts be constructed or achieved? It is my
6 understanding, through adding material to the top of
7 the levee. What is the rate curve of compaction and
8 subsidence with increasing weight to the top of the
9 levee system? Will it be exacerbated by the addition
10 of this material?

11 How will these lifts affectively
12 mitigate for future sea level risings subsidence
13 rates and does it account for acceleration based on
14 climate change predictions? Over the projects
15 lifetime how will work be done in a safe and
16 effective manner to avoid creating vulnerabilities
17 during hurricane/storm season? What soil substrate
18 will be used to elevate the height of the levees?
19 Where will this substrate be obtained? Will there be
20 textural analysis performed?

21 How will you mitigate for disturbed
22 soils and loss of vegetation which maintains the
23 stability and strength of the levee? Will you agree
24 to sign a waiver of the Tort Exemption for failures
25 of the flood protection strut system that occur as a

1 result of errors made in this work as it is
2 performed?

3 Over 400 lives were lost in the lower
4 ninth ward as a result of the work done for the Lock
5 Expansion Project under the guise of environmental
6 remediation between 2001 and 2004. The levees would
7 have held had the proper material been used and the
8 excavations not backfilled with sand. How will we
9 have guarantees that those same errors will not be
10 made in this work?

11 All right. I think that's sufficient,
12 don't you? Let me think about this because I want to
13 say this right. You are aware that negligent
14 homicide is a crime punishable by federal law? It is
15 my understanding that the fill material used in the
16 work performed by Washington Group International
17 between 2001 to 2004 on the Inner Harbor Navigational
18 Canal was identified as improper prior to Hurricane
19 Katrina and no effort was made to correct this error.
20 This would indicate negligence and the negligent
21 homicide of over 400 individuals in the lower ninth
22 ward in 2005. What is your response?

23 (Contact information: 504-729-0991|
24 Jennifer@nolapotter.com)

25

C-E-R-T-I-F-I-C-A-T-E

This certification is valid only for a transcript accomplished by my original signature and original required stamp on this page.

I, TAMMY LeBLANC JOSEPH, CCR, in and for the State of Louisiana, as the officer before whom this comment was taken, do hereby certify that comment was made as hereinbefore set forth in the forgoing pages; that this comment was reported by me in the stenograph writing method, was prepared, transcribed by me or under my personal direction and supervision; that the transcript has been prepared in compliance with the transcript format guidelines required by statute or by rules of the board, as described on the website of the board; that I have acted in compliance with the prohibition on contractual relationships, as defined by LA Code of Civil Procedure, Art 1434, and in the rules and advisory opinions of the board; that I am not related to counsel or to the parties herein, nor am I otherwise interested in the outcome of this matter.

Tammy LeBlanc Joseph, CCR

State of Louisiana

3.4.3.2 USACE RESPONSES TO COMMENTS RECEIVED AT PUBLIC MEETING ON 21 JANUARY 2020 (TRANSCRIBED BY COURT REPORTER)

Jennifer Blanchard Comments:

Let's start with this question. Number one, the levees in the Greater New Orleans area did not fail due to overtopping in Hurricane Katrina thus not leading to loss of life, property damages and displacement..... So, to advertise the need for this project as a response to failure of levees as a result of overtopping based on the experience in Katrina would not be factual or accurate, correct?

A number of levees did fail as a result of overtopping. Information on the performance of the project during and after Hurricane Katrina can be found in the Interagency Performance Evaluation Taskforce Report located at <https://biotech.law.lsu.edu/katrina/ipet/ipet.html>.

Number two: Where will the levees be lifted -- I think they've answered that question. Are there variations in the percent of protection from one area to another? Where are the lowest levees currently and where will the greatest lifts or heights be achieved?

Please see a map in the main body of the report for lift locations. The entire project area is currently at the 1% level of risk reduction. The tentatively selected plan would maintain 1% level of risk reduction for the entire project area, though the levee and floodwall heights vary throughout the system based on storm surge modelling that takes into account things such as water depth in front of the levee.

Okay. So, question: How will the lifts be constructed or achieved? It is my understanding, through adding material to the top of the levee. What is the rate curve of compaction and subsidence with increasing weight to the top of the levee system? Will it be exacerbated by the addition of this material?

Clay embankment would be added to the levees and adjacent stability berms as necessary to achieve the required design height and stability. While the additional weight does cause some localized compaction and settlement, it is minor because these lifts represent a small increase in weight compared to the overall levee.

How will these lifts affectively mitigate for future sea level risings subsidence rates and does it account for acceleration based on climate change predictions?

Relative sea level rise is one of many factors that impact formulation, evaluation, and design of alternatives. The work proposed in this study would offset the ongoing effects of subsidence, sea level rise, consolidation, and datum change to sustain the 1% level of risk reduction through 2073. Additional information about the relative sea level rise assessment is included in the main report.

Over the projects lifetime how will work be done in a safe and effective manner to avoid creating vulnerabilities during hurricane/storm season?

USACE is experienced with constructing levees both during Hurricane season and high river flows. USACE contract requirements include provisions for sealing levees with steel rollers and taking other actions to ensure their integrity is maintained should a storm approach or the river rise during construction.

What soil substrate will be used to elevate the height of the levees? Where will this substrate be obtained? Will there be textural analysis performed?

Hurricane and Storm Damage and Risk Reduction System design guidelines and geotechnical requirements, including details about soil substrate, can be found at:

<https://www.mvn.usace.army.mil/Missions/Engineering/Hurricane-Design-Guidelines/Hurricane-Design-Guidelines/>

A specific borrow source has not been identified at this point in the study process. Borrow sources for levee construction will be confirmed during the Pre-Construction, Engineering, and Design Phase.

How will you mitigate for disturbed soils and loss of vegetation which maintains the stability and strength of the levee?

Turf establishment at the end of levee construction is an important part of every levee lift and is monitored by USACE to ensure future integrity of the levees.

Will you agree to sign a waiver of the Tort Exemption for failures of the flood protection strut system that occur as a result of errors made in this work as it is performed?

Congress has determined the liability of USACE and the Federal government in relation to Flood Damage Risk Reduction projects.

Over 400 lives were lost in the lower ninth ward as a result of the work done for the Lock Expansion Project under the guise of environmental remediation between 2001 and 2004. The levees would have held had the proper material been used and the excavations not backfilled with sand. How will we have guarantees that those same errors will not be made in this work?

All levees and floodwalls in the LPV and WBV projects were reviewed and improved or replaced as necessary to meet the new design criteria that were developed post-Katrina and subject to a third party Independent External Peer Review (IEPR). A copy of design criteria IEPR can be found at: <https://www.mvn.usace.army.mil/About/Offices/Programs-Project-Management/Project-Review-Plans/>

<https://www.mvn.usace.army.mil/Portals/56/docs/PAO/Matt/Final%20IEPR%20Report.pdf>

<https://www.mvn.usace.army.mil/Portals/56/docs/PAO/Matt/USACE%20IEPR%20Response%20Report.pdf>

All right. I think that's sufficient, don't you? Let me think about this because I want to say this right. You are aware that negligent homicide is a crime punishable by federal law? It is my understanding that the fill material used in the work performed by Washington Group International between 2001 to 2004 on the Inner Harbor Navigational Canal was identified as improper prior to Hurricane

Katrina and no effort was made to correct this error. This would indicate negligence and the negligent homicide of over 400 individuals in the lower ninth ward in 2005. What is your response?

This comment is beyond the scope of this study. Information on the performance of the project during and after Hurricane Katrina can be found in the Interagency Performance Evaluation Taskforce Report located at <https://biotech.law.lsu.edu/katrina/ipet/ipet.html>.

3.4.3.3 USEPA – 22 JANUARY 2020



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270-2102

January 22, 2020

Mr. Bradley Drouant, P.E.
Project Manager
U.S. Army Corps of Engineers
New Orleans District (CEMVN-PMO-L)
7400 Leake Avenue, Room 361
New Orleans, LA 70118

Dear Mr. Drouant:

Pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500 – 1508), and our NEPA review authority under Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA) has reviewed the West Bank and Vicinity General Re-evaluation Report with Integrated Environmental Impact Statement (CEQ No. 20190292).

In the Draft Environmental Impact Statement (EIS), the U.S. Army Corps of Engineers evaluates coastal storm risk management in St. Charles, Jefferson, Orleans, and Plaquemines Parishes, Louisiana. The Draft EIS documents analysis of impacts for three alternatives.

We appreciate the opportunity to review the Draft EIS. EPA has no comment. We look forward to the receipt of the Final EIS. If you have any questions, please contact Kimeka Price of my staff at (214) 665-7438 or by e-mail at price.kimeka@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Houston", is written over a horizontal line.

A handwritten signature in black ink, appearing to read "Arturo J. Blanco", is written over a horizontal line.

Arturo J. Blanco
Director
Office of Communities, Tribes and
Environmental Assessment

3.4.3.4 LOUISIANA DEPARTMENT OF WILDLIFE & FISHERIES – 23 JANUARY 2020

**JOHN BEL EDWARDS
GOVERNOR**



**JACK MONToucET
SECRETARY**

PO BOX 98000 | BATON ROUGE LA | 70898

January 23, 2020

Charles Reulet, Administrator
Louisiana Department of Natural Resources
Office of Coastal Management
P.O. Box 44487
Baton Rouge, LA 70804-4487

RE: Application Number: ~~C20180178~~ **C20190216**
Applicant: U.S. Army Corps of Engineers-New Orleans District
Notice Date: December 11, 2019

Dear Mr. Reulet:

The professional staff of the Louisiana Department of Wildlife and Fisheries (LDWF) has reviewed the above referenced notice for the proposed Lake Pontchartrain and Vicinity (LPV) Levee Project and West Bank and Vicinity (WBV) Levee Project. For the LPV levee project, 27 acres of bottomland hardwood are anticipated to be impacted. For the WBV levee project, 63 acres of bottomland hardwood wetlands are anticipated to be impacted. For both levee projects, the applicant proposes to mitigate for these impacts. The following recommendations have been provided by the appropriate biologist(s):

Ecological Studies:

Scenic Rivers Program

These projects are located in the vicinity of several Louisiana designated Natural and Scenic Rivers. The applicant must obtain authorization from LDWF Scenic Rivers Program prior to initiating any of the proposed activities within or adjacent to the banks of any Scenic River. Scenic Rivers Coordinator Chris Davis can be contacted at 225-765-2642 regarding this issue. For information on the Scenic Rivers Program, you can visit our website at: <http://www.wlf.louisiana.gov/scenic-rivers>.

Compensatory Mitigation

LDWF concurs with the applicant's proposed plans for compensatory mitigation to offset wetland impacts associated with these projects.

Wildlife Diversity Program:

Manatee

Manatee (*Trichechus manatus*) may occur in the surrounding water bodies of the Lake Pontchartrain & Vicinity and West Bank & Vicinity project areas. Manatees are large mammals inhabiting both fresh and salt water. Although most manatees are year round residents of Florida or Central America, they have been known to migrate to areas along the Atlantic and Gulf coast during the summer months. Manatee is a threatened species protected under the Endangered Species Act of 1973 and the Federal Marine Mammal Protection Act of 1972. In Louisiana, taking or harassment of a manatee is in violation of state and federal law. Critical habitat for manatee includes marine submergent vascular vegetation (sea-grass

2000 QUAIL DRIVE

BATON ROUGE, LA 70808

225-765-2800

WLF.LOUISIANA.GOV

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beds). Areas with sea-grass beds should be avoided during project activities if possible. Report all manatee sightings to LDWF at 337-735-8676 or 1-800-442-2511.

Nesting Birds

Our database indicates the presence of bird nesting colonies within one mile of the Lake Pontchartrain & Vicinity and West Bank & Vicinity project areas. **Please be aware that entry into or disturbance of active breeding colonies is prohibited by LDWF. In addition, LDWF prohibits work within a certain radius of an active nesting colony.**

Nesting colonies can move from year to year and no current information is available on the status of these colonies. If work for the proposed project will commence during the nesting season, conduct a field visit to the worksite to look for evidence of nesting colonies. This field visit should take place no more than two weeks before the project begins. If no nesting colonies are found within 1000 feet (2000 feet for Brown Pelicans) of the proposed project, no further consultation with LDWF will be necessary. If active nesting colonies are found within the previously stated distances of the proposed project, further consultation with LDWF will be required. In addition, colonies should be surveyed by a qualified biologist to document species present and the extent of colonies. Provide LDWF with a survey report which is to include the following information:

1. qualifications of survey personnel;
2. survey methodology including dates, site characteristics, and size of survey area;
3. species of birds present, activity, estimates of number of nests present, and general vegetation type including digital photographs representing the site; and
4. topographic maps and ArcView shapefiles projected in UTM NAD83 Zone 15 to illustrate the location and extent of the colony.

Please mail survey reports on CD to: Wildlife Diversity Program
La. Dept. of Wildlife & Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000

To minimize disturbance to colonial nesting birds, the following restrictions on activity should be observed:

- For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, Roseate Spoonbills, Anhingas, or cormorants), all project activity occurring within 1000 feet of an active nesting colony should be restricted to the non-nesting period (i.e., September 1 through February 15).

- For colonies containing nesting gulls, terns, or Black Skimmers, all project activity occurring within 650 feet (2000 feet for Brown Pelicans) of an active nesting colony should be restricted to the non-nesting period (i.e., September 16 through April 1).

Bald Eagle

Our records indicate that the Lake Pontchartrain & Vicinity portion of the proposed project may impact nesting Bald Eagles (*Haliaeetus leucocephalus*). This species is protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c) and the Migratory Bird Treaty Act (16 U.S.C. 703-712) and is protected by the State of Louisiana. This proposed project is less than 1,000 ft. away from the Bald Eagle nest(s) of concern. All Bald Eagle nests (active, inactive or seemingly abandoned) should be protected, and no large trees should be removed. No major activities should occur within the nesting period

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and no large trees should be removed. No major activities should occur within the nesting period (September 1 – June 1). Please refer to the U.S. Fish and Wildlife Service Bald Eagle Management Guidelines for more information on avoiding impacts to this species including suggested buffer distances: <http://www.fws.gov/southeast/es/baldeagle/> & <https://www.fws.gov/southeast/our-services/eagle-technical-assistance/>

Gulf Sturgeon

The Lake Pontchartrain & Vicinity portion of the proposed project may impact the gulf sturgeon (*Acipenser oxyrinchus desotoi*) and its designated critical habitat. The gulf sturgeon is listed as threatened on both the federal and state species list. Major population limiting factors are thought to include barriers to spawning habitats and habitat loss associated with the construction of water control structures, including dams and sills. Other threats identified include modification to habitat associated with dredged material disposal and poor water quality associated with contamination.

Pallid Sturgeon

The pallid sturgeon (*Scaphirhynchus albus*) may occur in water bodies near the West Bank & Vicinity project area. The pallid sturgeon is listed as endangered under the Endangered Species Act (16 U.S.C. 1531-1544) and occur in the Mississippi and Atchafalaya rivers in southern Louisiana, and the Red River. This species requires large, turbid, free-flowing riverine habitat and is adapted to living close to the bottom of large rivers with sand and gravel bars. Pallid sturgeon typically spawn from May-August, but successful reproduction has been severely reduced due to habitat modification. This includes the loss of habitat through the construction of dams that have modified flows, reduced turbidity and lowered water temperatures. We advise you to take the necessary measures to avoid the breeding season and any degradation of water quality in the Mississippi and Atchafalaya rivers. If you have any questions, please contact Keri Lejeune 337-735-8676.

Blue Sucker

Our records also indicate Blue sucker (*Cycleptus elongatus*) may occur in water bodies within the West Bank & Vicinity project area. This species is considered rare in Louisiana with an S3 state rank. Blue sucker is a fresh water fish found in channels and flowing pools with moderate currents and is occasionally found in impoundments. Cited causes of decline include depletion of surface water, poor water quality stemming from sewage effluent and agricultural runoff, interruption of migrations by dams, and stranding in irrigation canals. If you have any questions, please contact Keri Lejeune 337-735-8676.

Live Oak Forest

The database indicates that Live Oak Forest record is located within and adjacent to the West Bank & Vicinity project area. This community is considered critically imperiled in Louisiana with an S1 state rank. In southeast Louisiana, this forest type can form on ridges of stranded deltaic sediments deposited by the (formerly) constantly shifting Mississippi River. These ridges are composed primarily of sand and shell and are approximately 4 to 5 feet above sea level. This forest type is an important storm barrier, limits salt water intrusion, and acts as a critical staging and stopover site for Neotropical migratory birds. We advise you to take the necessary measures to avoid any impacts to this ecological community.

General Comment

No other impacts to rare, threatened or endangered species or critical habitats are anticipated from the proposed project. The Wildlife Diversity Program (WDP) reports summarize the existing information known at the time of the request regarding the location in question. WDP reports should not be considered final statements on the biological elements or areas being considered, nor should they be substituted for

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January 23, 2020

on-site surveys required for environmental assessments. If at any time WDP tracked species are encountered within the project area, please contact our biologist at 225-765-2643.

The Louisiana Department of Wildlife and Fisheries appreciates the opportunity to review and provide recommendations to you regarding this proposed activity. Please do not hesitate to contact LDWF Permits Coordinator Dave Butler at 225-763-3595 should you need further assistance.

Sincerely,



Randell S. Myers
Assistant Secretary

eb/cd/cm/bh

3.4.3.5 USACE RESPONSES

- No impacts to state-designated scenic rivers are anticipated.
- USACE will comply with notification and avoidance requirements regarding manatees, nesting birds, bald eagles, Gulf sturgeon, pallid sturgeon, blue suckers, and live oak forest as requested to the maximum extent practicable.

3.4.3.6 LOUISIANA DEPARTMENT OF NATURAL RESOURCES – 29 JANUARY 2020

From: [McCain, Kathryn N CIV USARMY CEMYP \(USA\)](#)
To: [Jeff Harris](#)
Subject: RE: C20190216 WBV levee lift and mitigation plan
Date: Wednesday, January 29, 2020 3:29:00 PM
Attachments: [WBV Appendix A - Civil Nov 19.docx](#)

No worries. My responses are in blue below:

- Locations and dimensions of borrow sites for levee lift materials – [Yet to be determined](#). Section 7.1.4 of the draft EIS outlines our assumptions of how we will identify the borrow sites over the period of analysis (through 2073). If a site fails to meet our assumptions a supplemental NEPA document will happen in the future.

From the draft EIS:

1.1.1 GENERALIZED BORROW AREA IMPACT ANALYSIS

Extended construction windows throughout the 50-year period of analysis would be required for implementation of the multiple levee lifts associated with the project. Borrow areas available for use now may not be available when future levee lifts are needed. Accordingly, an analysis of borrow area impacts has been conducted on a “typical” borrow pit that could be chosen for use. Anticipated impacts of excavation and use of such “typical” borrow areas for the action alternatives were evaluated using the below assumptions. The assumptions are based on extensive borrow area impact assessments performed for HSDRRS implementation. The quantities of borrow that would be needed for each lift are estimates. Specific borrow areas would be identified during pre-construction engineering and design for each segment of project construction. Borrow area acquisition requirements will continue to be evaluated during feasibility design to determine whether temporary or permanent easements are most advantageous to the Government. Additional NEPA documentation and associated public review would be conducted, as necessary, to address impacts associated with those borrow areas. Additionally, if a proposed borrow area contains upland bottomland hardwood forests or another significant resource that requires mitigation, a mitigation plan would be prepared in compliance with WRDA 1986, Section 906 (33 U.S.C. §2283). See Appendix A for construction schedule and estimated borrow quantity for each levee lift.

Table 7-4. Borrow Area Assumptions and Requirements Incorporated into Borrow Area Analysis

Resource	Assumptions and Requirements
Locations	Borrow sites would be located within the following parishes: <ul style="list-style-type: none"> • Orleans Parish • Plaquemines Parish • Jefferson Parish • St. Charles Parish • Lafourche Parish • St. John the Baptist Parish
Socioeconomics	Borrow sites with potential EJ impacts or potential impacts to sensitive receptors would be avoided.
Soils	Based on estimated 4.125 million cubic yards of material needed for construction and based on assumed 20-ft depth of borrow areas, Alternative 2 would require approximately 160 acres of borrow area. Based on the estimated 5.086 million cubic yards of material needed for construction, Alternative 3 would require

	<p>approximately 197 acres of borrow area.</p> <p>Suitable clay material meeting the following requirements will be available:</p> <ul style="list-style-type: none"> • Soils classified as fat or lean clays are allowed • Soils with organic content greater than 9% are NOT allowed • Soils with plasticity indices less than 10 are NOT allowed • Soils classified as silts are NOT allowed • Clays will NOT have more than 35% sand content <p>Significant impacts to prime farmland soils would be anticipated given the strong correlation between suitable borrow soils and prime farmland soils.</p>
Transportation	<p>The same transportation corridors used during HSDRRS would be used, as described in <i>Transportation Report for the Construction of the 100-year Hurricane and Storm Damage Risk Reduction System</i> prepared in 2009 and incorporated by reference (USACE, 2009) ^[1].</p>
Jurisdictional Wetlands	<p>Suitable borrow areas that avoid jurisdictional wetland impacts would be utilized.</p>
Non-Jurisdictional (i.e., upland) Bottomland Hardwoods	<p>Suitable borrow areas that avoid non-jurisdictional bottomland hardwoods (BLH-dry) would be used.</p>
Water Quality	<p>Water quality impacts would be minimized through the use of Best Management Practices (BMPs).</p>
Fisheries/Essential Fish Habitat	<p>No impacts to fisheries or EFH would be anticipated due to the use of inland sites.</p>
Wildlife	<p>Some permanent impacts to wildlife would be anticipated due to permanent removal of habitat.</p>
Threatened and Endangered Species	<p>No impacts to T&E species would be anticipated as no T&E species are present in the upland areas in the target parishes.</p>
Cultural Resources	<p>Cultural resource surveys would be conducted on potential borrow sites; sites with cultural resources would be avoided; no impacts to cultural resources would be anticipated.</p>
Recreational Resources	<p>No impacts to recreational resources would be anticipated as borrow sites would likely be located on private property away from recreational areas.</p>
Aesthetics	<p>Minor impacts to aesthetics would be anticipated due to conversion of habitat.</p>
Air Quality	<p>Minor impacts during construction would be anticipated, dissipating upon completion; borrow areas would avoid non-attainment areas.</p>
Noise	<p>Minor impacts during construction would be anticipated and minimized through compliance with local noise ordinances; temporary impacts to wildlife in adjacent habitat would be anticipated during construction; avoidance of construction areas may cause carrying capacity of adjacent habitats to be temporarily exceeded.</p>
HTRW	<p>HTRW surveys would be conducted on potential borrow sites; sites with HTRW would be avoided; no impacts would be anticipated.</p>

During scoping, the USFWS provided a recommended protocol for identifying borrow sources. The recommendations in descending order of priority are:

1. *Permitted commercial sources, authorized borrow sources for which environmental clearance and mitigation have been completed, or non-functional levees after newly constructed adjacent levees are providing equal protection.*
2. *Areas under forced drainage that are protected from flooding by levees, and that are:*

- o non-forested (e.g., pastures, fallow fields, abandoned orchards, former urban areas) and non-wetlands;
 - o wetland forests dominated by exotic tree species (i.e., Chinese tallow-trees) or non-forested wetlands (e.g., wet pastures), excluding marshes;
 - o disturbed wetlands (e.g., hydrologically altered, artificially impounded).
3. Sites that are outside a forced drainage system and levees, and that are:
- o non-forested (e.g., pastures fallow fields, abandoned orchards, former urban areas) and non-wetlands;
 - o wetland forests dominated by exotic tree species (i.e., Chinese tallow-trees) or non-forested wetlands (e.g., wet pastures), excluding marshes;
 - o disturbed wetlands (e.g., hydrologically altered, artificially impounded).

Notwithstanding this protocol, the location, size, and configuration of borrow sites within the landscape is also critically important. Coastal ridges, natural levee flanks, and other geographic features that provide forested/wetland habitats and/or potential barriers to hurricane surges should not be utilized as borrow sources, especially where such uses would diminish the natural functions and values of those landscape features.

USACE would follow this recommended protocol to the extent practicable during borrow area selection. In addition, USACE will select borrow areas in the parishes listed in Table 7-4 that fall within the areas provided by USFWS that contain suitable soils and avoid potential mitigation (see Figure 7-2). Once borrow areas are identified, additional NEPA and environmental coordination for those sites would occur and, if necessary, a mitigation plan would be prepared to compensate for any significant resources existing on those borrow sites.

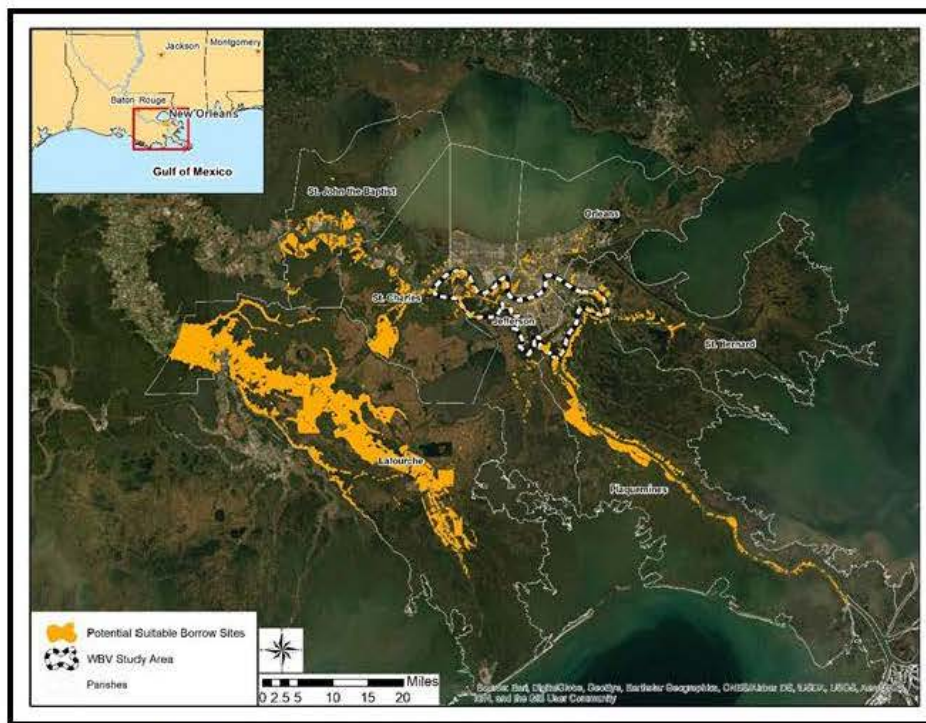


Figure 7.2. Potential Suitable Borrow Sites Based on Soil Types and Avoidance of Potential Mitigation

(data provided by USFWS, 2019; based on 2016 National Land Cover Database and National Resources Conservation Service (NRCS) soil surveys)

- - Volume of material to be excavated- current fill estimates for all levee lift construction for the 50 years period of analysis for the Tentatively Selected Plan would require approximately 4.125 million cubic yards of fill material for construction activities. Assuming a 20-foot average depth of borrow areas this would require approximately 160 acres of borrow.

- Locations and dimensions of all access routes and staging and laydown areas for all work associated with this project – attached is the civil engineering appendix that has the initial designs which will continue to be refined during feasibility level of design moving forward.

Also, your response to the question about mitigation bank requirements isn't specific enough to resolve the question. OCM and the Corps have different requirements for mitigation bank approval, and in some cases we define basins differently. So:

- Please confirm that bids will be solicited only from mitigation banks that are OCM approved, and are within the same or an adjacent CWPPRA-defined hydrologic basin as the impacts. I will reach out to my counterparts in the New Orleans district office to confirm and get back to you.

Thank you!

Cheers,

Kat McCain, Ph.D.
Chief, Environmental Planning Section
Water Resources Certified Planner
Regional Planning and Environmental Division North
1222 Spruce Street
St. Louis MO 63103
Phone: 314-331-8047
Work Cell: 314-296-1104
Email: Kathryn.mccain@usace.army.mil

-----Original Message-----

From: Jeff Harris [mailto:Jeff.Harris@LA.GOV]
Sent: Wednesday, January 29, 2020 3:09 PM
To: McCain, Kathryn N CIV USARMY CEMVP (USA) <Kathryn.Mccain@usace.army.mil>
Cc: Runyon, Kip R CIV USARMY CEMVP (USA) <Kip.R.Runyon@usace.army.mil>
Subject: [Non-DoD Source] RE: C20190216 WBV levee lift and mitigation plan

Kat—

My apologies, I used imprecise language. Let me try again:

- Locations and dimensions of borrow sites for levee lift materials -
- Volume of material to be excavated
- Locations and dimensions of all access routes and staging and laydown areas for all work associated with this project

Also, your response to the question about mitigation bank requirements isn't specific enough to resolve the question. OCM and the Corps have different requirements for mitigation bank approval, and in some cases we define basins differently. So:

- Please confirm that bids will be solicited only from mitigation banks that are OCM approved, and are within the same or an adjacent CWPPRA-defined hydrologic basin as the impacts.

Thanks again,

--Jeff

From: McCain, Kathryn N CIV USARMY CEMVP (USA) <Kathryn.Mccain@usace.army.mil>
Sent: Wednesday, January 29, 2020 11:36 AM
To: Jeff Harris <Jeff.Harris@LA.GOV>
Cc: Runyon, Kip R CIV USARMY CEMVP (USA) <Kip.R.Runyon@usace.army.mil>
Subject: RE: C20190216 WBV levee lift and mitigation plan

Mr. Harris,

Please see my responses in blue to your below additional information request for WBV GRR. Let me know if you need further clarification. Thank you.

Please provide:

- Locations and dimensions of borrow sites within and outside of Lake Pontchartrain - Not applicable. Lake Pontchartrain is not in the study area for WBV GRR

- Volume of material to be dredged – Not applicable. Dredging is not proposed for the WBV GRR

- Locations and dimensions of all access routes and staging and laydown areas – Not applicable. Access dredging and stockpiling not proposed for the WBV GRR

- Please clarify whether compensatory mitigation, as described in Appendix K, is or is not part of the proposed.

action (it is not included in the Description of the Proposed Action) – Yes BLH-Wet mitigation is part of the proposed action to offset impacts due to the flood-side levee lifts along the MRL. Description of Proposed Action will be updated to reflect mitigation needed

- Please confirm that the eligibility requirements for mitigation banks will include provisions that the banks are OCM approved,

and are within the same CWPRA-defined hydrologic basin as the impacts, or an adjacent basin – Confirmed. If bank credits are purchased they will be from in-basin mitigation banks. If credits are purchased from a mitigation bank, the mitigation bank must be in compliance with the requirements of the USACE Regulatory Program and its MBI, which specifies the management, monitoring, and reporting required to be performed by the bank.

Also, please review the attached comment letter from the Louisiana Department of Wildlife and Fisheries, and confirm that the Corps of Engineers will:

- Obtain authorization from the LDWF Scenic Rivers Program for any activities adjacent to any Scenic River – Concur. Shouldn't be any issues.

- Comply with LDWF notification and avoidance requirements regarding Manatees, Nesting Birds, Bald Eagles, Gulf Sturgeon,

Pallid Sturgeon, Blue Suckers, and Live Oak forest – Concur.

In a broader sense, it does not appear that the plans for this project are mature enough to completely describe all of the work, and potential coastal impacts, at this time. For example, the need for future lifts is mentioned. OCM may be able to concur that the project, at this phase of development, is consistent with our coastal management program, but we'll need to arrive at some statement that additional CZM review will be obtained as the project is finalized.

Agreed. Feasibility level of design will be ongoing for the next year or so and will continue to coordinate as final feasibility designs are developed.

And last, our Mitigation staff is still reviewing the proposed mitigation. I'm hoping to get their comments by the end of next week. Sounds good.

Cheers,

Kat McCain, Ph.D.

Chief, Environmental Planning Section

Water Resources Certified Planner

Regional Planning and Environmental Division North

1222 Spruce Street

St. Louis MO 63103

Phone: 314-331-8047

Work Cell: 314-296-1104

Email: Kathryn.mccain@usace.army.mil <mailto:Kathryn.mccain@usace.army.mil>

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^[1] Available online in Appendix F at <https://www.mvn.usace.army.mil/Portals/56/Users/194/42/2242/CED%20Volume%20I%20Compiled.pdf>; accessed 4 December 2019

3.4.3.7 LOUISIANA DEPARTMENT OF NATURAL RESOURCES – 3 FEBRUARY 2020

From: [Jeff Harris](#)
To: [McCain, Kathryn N CIV USARMY CEMVP \(USA\)](#)
Subject: [Non-DoD Source] RE: Comment from LA DNR/OCM
Date: Monday, February 3, 2020 10:18:30 AM

Kat—

This'll do, I think. Thank you.

On another matter...

For WBV, the consistency determination did not include the WVAs that were used to calculate the AAHUs of impact. Can you provide the WVAs for our Mitigation staff review?

Thanks,

--Jeff

From: McCain, Kathryn N CIV USARMY CEMVP (USA) <Kathryn.Mccain@usace.army.mil>
Sent: Friday, January 31, 2020 7:31 AM
To: Jeff Harris <Jeff.Harris@LA.GOV>
Cc: Runyon, Kip R CIV USARMY CEMVP (USA) <Kip.R.Runyon@usace.army.mil>
Subject: RE: Comment from LA DNR/OCM

The below text in blue will be added to the mitigation appendix for both WBV and LPV GRR Studies.

The solicitation for mitigation bank bids will include requirements that the banks are OCM-approved, and within the same or adjacent CWPRA-defined hydrologic basin as the impacts.

Let me know if there is anything else.

Thanks

Kat

-----Original Message-----

From: Jeff Harris [<mailto:Jeff.Harris@LA.GOV>]

Sent: Thursday, January 30, 2020 9:41 AM

To: McCain, Kathryn N CIV USARMY CEMVP (USA) <Kathryn.Mccain@usace.army.mil>
<<mailto:Kathryn.Mccain@usace.army.mil>> >

Cc: Runyon, Kip R CIV USARMY CEMVP (USA) <Kip.R.Runyon@usace.army.mil>
<<mailto:Kip.R.Runyon@usace.army.mil>> >

Subject: [Non-DoD Source] RE: Comment from LA DNR/OCM

Good morning, Kat--

We're getting close, but not quite there yet. I need a less ambiguous response.

The consistency determination, which includes our e-mail correspondence, is your statement about what the Corps of Engineers plans to do (at least at this phase of the project) and your conclusion that those plans are consistent with the Louisiana Coastal Resources Program. Having Libby confirm to you that CEMVN does things this way isn't quite the same thing as you telling me that CEMVP will modify its plans to comply with the LCRP. What I'm looking for is an affirmative statement that the solicitation for mitigation bank bids will include requirements that the banks are OCM-approved, and within the same or adjacent CWPPRA-defined hydrologic basin as the impacts.

Sorry to be so particular, but I've had assumptions and ambiguities come back to ding me before. I appreciate your cooperation.

--Jeff

-----Original Message-----

From: McCain, Kathryn N CIV USARMY CEMVP (USA) <Kathryn.Mccain@usace.army.mil>
<<mailto:Kathryn.Mccain@usace.army.mil>> >

Sent: Thursday, January 30, 2020 6:38 AM

To: Jeff Harris <Jeff.Harris@LA.GOV> <<mailto:Jeff.Harris@LA.GOV>> >

Cc: Runyon, Kip R CIV USARMY CEMVP (USA) <Kip.R.Runyon@usace.army.mil>
<<mailto:Kip.R.Runyon@usace.army.mil>> >

Subject: FW: Comment from LA DNR/OCM

Jeff,

CEMVN confirmed. I'll add additional language in my mitigation plan to clarify for both WBV and LPV GRR.

Thanks,

Kat

-----Original Message-----

From: Behrens, Elizabeth H CIV USARMY CEMVN (USA)

Sent: Wednesday, January 29, 2020 6:29 PM

To: McCain, Kathryn N CIV USARMY CEMVP (USA) <Kathryn.Mccain@usace.army.mil
<<mailto:Kathryn.Mccain@usace.army.mil>> >; Wilkinson Wolfson, Laura L CIV USARMY CEMVN (USA)
<Laura.L.Wilkinson@usace.army.mil <<mailto:Laura.L.Wilkinson@usace.army.mil>> >

Subject: RE: Comment from LA DNR/OCM

Yes, if we have impacts that occur within the coastal zone we would mitigate for them within the coastal zone or at banks that are OCM approved. We, in Civil Works, use the same basins as the 404 Regulatory program does. They appear to be the same basins. Thanks,

Libby

Elizabeth Behrens

Chief, Environmental Studies Section

Regional Planning Environment Division South US Army Corps of Engineers, New Orleans District New Orleans,
LA 70118

Office: 504-862-2025

From: McCain, Kathryn N CIV USARMY CEMVP (USA)

Sent: Wednesday, January 29, 2020 3:33 PM

To: Wilkinson Wolfson, Laura L. CIV USARMY CEMVN (USA) <Laura.L.Wilkinson@usace.army.mil
<<mailto:Laura.L.Wilkinson@usace.army.mil>> >; Behrens, Elizabeth H CIV USARMY CEMVN (USA)
<Elizabeth.H.Behrens@usace.army.mil <<mailto:Elizabeth.H.Behrens@usace.army.mil>> >

Subject: Comment from LA DNR/OCM

View in rich text

Jeff Harris (LA DNR) asked:

OCM and the Corps have different requirements for mitigation bank approval, and in some cases we define basins differently. So:

Please confirm that bids will be solicited only from mitigation banks that are OCM approved, and are within the same or an adjacent CWPPRA-defined hydrologic basin as the impacts.

Thanks!

Cheers,

Kat McCain, Ph.D.

Chief, Environmental Planning Section

Water Resources Certified Planner

Regional Planning and Environmental Division North

1222 Spruce Street

St. Louis MO 63103

Phone: 314-331-8047

Work Cell: 314-296-1104

Email: Kathryn.mccain@usace.army.mil <<mailto:Kathryn.mccain@usace.army.mil>>

3.4.3.8 DEPARTMENT OF INTERIOR – 4 FEBRUARY 2020



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
1001 Indian School Road NW, Suite 348
Albuquerque, New Mexico 87104

ER-19/0579

February 4, 2020

Mr. Bradley Drouant, P.E.
CEMVN-PMO-L, Room 361
U.S. Army Corps of Engineers
7400 Leake Avenue
New Orleans, LA 70118

Re: Review of the Draft Integrated Feasibility Study and Draft Environmental Impact Statements (DEIS) for the West Bank and Vicinity General Hurricane Storm Damage and Risk Reduction Re-Evaluation Report, Louisiana

Dear Mr. Drouant:

The U.S. Department of the Interior (Department) has reviewed the DEIS by the U.S. Army Corps of Engineers for the West Bank and Vicinity General Re-Evaluation Report, Louisiana, and offers the comments in this letter for your consideration in preparing the final EIS. This re-evaluation addresses levee lifts to offset expected consolidation, subsidence, and sea level rise, including impacts to fish and wildlife resources and public lands. At the current stage of planning USACE has completed preliminary studies to identify alternatives to be carried forward in the study process and has identified a tentatively selected plan.

This letter has been prepared under the authority of and in accordance with provisions of the National Environmental Policy Act (NEPA) of 1969 (42 USC 4321 et seq.), the Migratory Bird Treaty Act (MBTA, as amended; 16 USC 703 et seq.), the Bald and Golden Eagle Protection Act (BGEPA) (16 USC 668a-d), Fish and Wildlife Coordination Act (16 USC 661-667), and the Endangered Species Act (ESA) of 1973, as amended (16 USC 1531 et seq.), and other authorities mandating the Department's concern for environmental and historic preservation values. Comments from the U.S. Fish and Wildlife Service (FWS) are provided below.

Page 181, Section 7.22, Compliance with Environmental Statutes, Table 7-10. In the fourth column please remove the word “nongame” from the phrase, “Conserve and promote conservation of non-game fish and wildlife and their habitats,” as the Fish and Wildlife Coordination Act applies to both game and nongame species.

Page 189, Section 7.22, Fish and Wildlife Coordination Act. FWS appreciates the USACE's incorporation of the recommendations provided in our October 9, 2019, draft Fish and Wildlife Coordination Act Report. However, in achieving compliance with the FWCA, Engineer

Regulation (ER) 1105-2-100 (page G-50, section J(c)) states that each FWS recommendation should be specifically addressed and reasons should be provided for adoption or non-adoption.

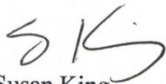
Appendix K, Page 21, Mitigation Plan. For variable V5, planted trees should be not be classified as forest until they are 20 years old, rather than the 10 years stated in text; this should be changed within the main document as well.

Page 29, Table 1C, Preliminary Planting List BLH-Wet Habitat – Midstory Species. FWS recommends the removal from this table of the following species: saltbush, rough leaf dogwood, honey locust, and dwarf palmetto. Our recommendation for removal is due to factors such as site suitability, likelihood of natural regeneration, value to wildlife, and commercial availability of seedlings.

Concluding Remarks

The Department appreciates the opportunity to assist in the development of this project and to provide comments and recommendations to the DEIS. Should you have any questions about the FWS comments, please contact Hannah Sprinkle (337.291.3121), hannah_sprinkle@fws.gov.

Sincerely,



Susan King
Regional Environmental Officer
Albuquerque, New Mexico
Interior Regions 6 and 7

3.4.3.9 USACE RESPONSES

- “Non-game” has been removed from Table 7-10 as requested.
- Section 7.22 has been updated with responses to each Service recommendation as requested.
- Information on variable V5 has been updated in the mitigation plan as requested.
- Table 1C in the mitigation plan has been updated as requested.

3.4.3.10 CHOCTAW NATION – 31 JANUARY 2020

RE: West Bank and Vicinity General Re-Evaluation Report with Draft EIS (WBV GRR-DEIS)



Lindsey Bilyeu <lbilyeu@choctawnation.com>

Fri 1/31/20 10:16 AM
LVV GRR 1/31

Reply all

Good Morning,

The Choctaw Nation of Oklahoma thanks the USACE, New Orleans District, for the correspondence regarding the above referenced project. This project lies in our area of historic interest. The Choctaw Nation Historic Preservation Department has no comments regarding the document at this time. However, we request to be consulted under the Section 106 process.

If you have any questions, please contact me.

Thank you,
Lindsey D. Bilyeu, MS
Senior Compliance Review Officer
Historic Preservation Department
Choctaw Nation of Oklahoma
P.O. Box 12110
Durant, OK 74702
580-924-8280 ext. 2631



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3.4.3.11 PUBLIC COMMENTS

From: [WBV-GRR](#)
To: [Glen Pilie](#)
Subject: Re: WBV-GRR
Date: Wednesday, December 18, 2019 10:25:02 AM

Mr. Pilie,

Yes, the Draft reports are available on-line at the following links:

<https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/WBV-GRR/>

<https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/LPV-GRR/>

Public meetings have been scheduled as follows:

WBV

21 Jan 2020

Cutoff Recreation Center

6400 Belgrade Street Algiers, LA 70131

6-8 pm

LPV

22 Jan 2020

Lake Vista Community Center

6500 Spanish Ft. Blvd

New Orleans, LA 70124

6-8 pm

Information can also be found here:

<https://www.mvn.usace.army.mil/Media/Public-Meetings/>

Thank you for your interest.

Kip Runyon

Environmental Manager

From: Glen Pilie [REDACTED]
Sent: Monday, December 16, 2019 1:05 PM
To: WBV GRR <CEMVN-WBVGRR@usace.army.mil>
Subject: [Non-DoD Source] WBV-GRR

Is the December 2019 draft general re-evaluation report available to the public? Have public meetings been scheduled for January 2020? Thanks Glen Pilie

Glen Pilie
Of Counsel

[REDACTED]

--



WBV GRR

Mr. Sandlin, Thank you for your comment. It has been documented and will taken into consideration moving forward, thank you Kat McCain

Today, 11:06 AM



Bert Sandlin

Mon 1/27, 1:06 PM

WBV GRR

Reply all

You forwarded this message on 1/29/2020 11:07 AM



Crown is needed on Lev...

886 KB

Download

Attention Mr. Bardley Drouant P.E.

Please see attached document.

All earthen LEVEES should have a slight curved sloped crown on top!!! The Army Corp of Engineers recently built several miles of dirt FLAT TOP dirt levees. That is not a good idea many engineering levels. I believe the original levee system had a crown on top of the levee for at least five very good reasons.

- 1) If the levee has a dirt flat top on it the added rainwater from any approaching storm will soak down into the levee MAKING IT WEAKER! The levee should have a slight slope or curved crown on top so that rainwater will not puddle on top of the levee and soak down into the levee before a storm surge.
- 2) If the levee has a dirt flat top on it the rainwater will puddle in areas and NOT drain evenly down the sides of the levee and the running water will create large deep groves, ruts in the side of the levee making it weaker! Dirt Roads and gravel roads are generally always built with a crown/slope on top to promote the water to drain off evenly. The top of the levee should have a similar crown.

If there is a levee Failure this could become a major public relations issue. (I.E. Engineering Catastrophes) The Corp should have some really good reasons for not putting a slight smooth curved crown on top of the dirt levees.

Attention Mr. ~~Bardley~~ Drouant P.E.
CEMVN-WBVGRR@usace.army.mil

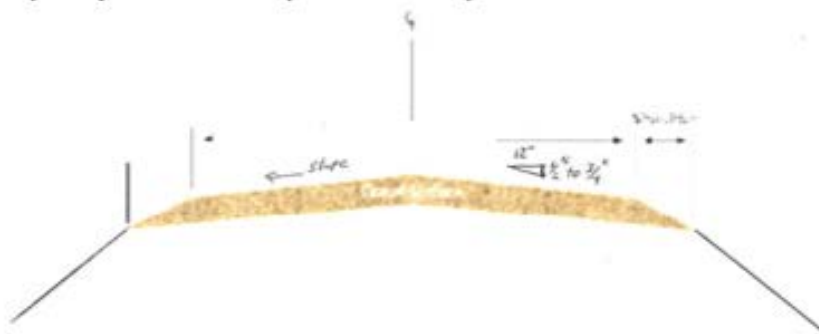
1-27-2020

All earthen LEVEES should have a slight curved sloped crown on top!!! The Army Corp of Engineers recently built several miles of dirt FLAT TOP dirt levees. That is not a good idea many engineering levels. I believe the original levee system had a crown on top of the levee for at least five very good reasons.

- 1) If the levee has a dirt flat top on it the rainwater from any approaching storm will soak down into the levee MAKING IT WEAKER before the storm! The levee should have a slight slope or curved crown on top so that rainwater will not puddle on top of the levee and soak down into the levee before a storm surge. A flat top levee is not a good idea. See Figure 1 below
- 2) If the levee has a dirt flat top on it the rainwater will puddle in areas and NOT drain evenly down the sides of the levee and the running water will create large deep grooves, ruts in the side of the levee making it weaker!. Dirt Roads and gravel roads are generally always built with a crown/slope on top to promote the water to drain off evenly. The top of the levee should have a similar crown. See Figure 2 below
- 3) The deep grooves and ruts in the side of the levees caused by the poor design also creates a SAFETY PROBLEM for the people cutting the grass on the levee. The (deep ruts) in the side of the levee can catch a wheel on the tractor or lawnmower and cause it to flip. The sharp edge between the flat top on the levee and the steep sides also creates a safety problem for cutting the grass. The top and the transition to the side should be smooth and slightly rounded if possible to promote proper drainage and make it easier to maintain.
- 4) Pot Holes! If the levee has a flat top, the top of the levee will stay soft and wet longer. When the tractors drive on top of the levee to cut the grass they create POT HOLES on top of the levee due to the poor drainage on top of the levee.
- 5) If a ~~cradge~~ emergency bank needs to be added on top of the levee the added bank can be added along the water side. If the top of the levee has a slight slope on it towards the water side it will help hold the ~~cradge~~ emergency bank in place.

PLEASE STOP BUILDING EARTH LEVEES WITH FLAT TOPS. For good engineering practices and safety reasons please go back to the original levee designs with a curved sloped crown on top of the levee.

Figure 1) Crown on Levee should be same as the crown on a gravel or dirt road. Slight slope only about $\frac{1}{2}''$ to $\frac{3}{4}''$ per foot at the top crown surface. Round off the shoulder.



pg. 1 of 2

Attention Mr. ~~Bardley~~ Drouant P.E.
CEMVN-WBVGRR@usace.army.mil

1-27-2020

Figure 2) DEEP RUTS, AND GROOVES IN THE SIDE OF THE LEVEE



PLEASE STOP BUILDING EARTH LEVEES WITH FLAT TOPS. For good engineering practices and safety reasons please go back to the original levee designs with a curved sloped crown on top of the levee.

Sincerely a Concerned Tax Payer

pg. 2 of 2

SD Stephen Druker [REDACTED]
Sat 12/1 10:27 PM
WBV GRR [REDACTED]

TO: U.S. Army Corps of Engineers
RE: West Bank and Vicinity General Re-evaluation Report

To Whom It May Concern,

I'm writing to seek information regarding future levee and flood mitigation projects on the West Bank. I've looked at the materials on your website and have found them difficult to understand from a layman's perspective. I have several questions and I'd appreciate any information you can provide.

I am currently considering buying a house on Patterson Point. The property is located facing the levee on Patterson Road (across from Cooper/T. Smith Mooring). My question is simple: Would any of the plans you are considering involve disruptions in that area of the levee? Specifically,

- 1) Is there any scenario in which there would be a need to permanently use land belonging to local residents. In other words, if I bought property along Patterson Rd, what are the chances that the government will come along in a few years and decide they need some or all of my property for the project such that it would reduce the size of my property or cause me to be displaced?
 - If such a scenario were to occur, what sort of plan is there for compensating residents?
- 2) Is there any scenario in which there would be a need to temporarily use the land belonging to local residents. In other words, if I bought property along Patterson Rd, what are the chances that the government will come along in a few years and decide they need some or all of my property for the project on a temporary basis?
 - If such a scenario were to occur, what sort of plan is there for compensating residents?
- 3) I understand under the tentative plan there will be a series of levee lifts. Under such a plan approximately:
 - When would these lifts occur?
 - How long would they last?
 - How disruptive would they be in terms of noise, traffic, and lack of access to the levee area?
 - Are there other ways in which this, or any other plan being considered would be disruptive to residents? If so, please describe.

Thank you in advance for any information you can provide.

Sincerely,
Stephen Druker

USACE Response:

1. The recommended plan does not involve any permanent acquisitions on the side opposite the levee along Patterson road. Such a scenario cannot be ruled out but is not foreseen based on early design work.
2. There will be a requirement for temporary staging areas. Along some reaches, areas have been previously identified and used and assuming no change in land use we would pursue these same sites again. In all cases, we prefer to work with willing landowners whose property would not be impacted by temporary use for this purpose. The State of Louisiana would be responsible for acquiring properties for temporary and permanent use of the project. Regarding compensation, the State is generally required to follow the Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs, Public Law 91-646, as amended, 42 U.S. Code Chapter 61; the Uniform Regulations contained in 49 C.F.R. Part 24; and/or all other applicable State and Federal laws and regulations.
3. The requested information is available in the main report.

BS Bert Sandlin [REDACTED]
Thu 2/6 4:01 PM
WBV GRR [REDACTED]

Attachments: Engineer Something Sp... 509 KB, Attachment 2.PDF 1 MB, Attachment 4.PDF 1021 KB, Attachment 1.PDF 1 MB, Attachment 5.PDF 1 MB, Attachment 3.PDF 1 MB, Attachment 6.PDF 955 KB

⌵ Show all 9 attachments (11 MB) Download all

Please review the attached 6 page letter of recommendations for the Algiers canal and Harvey canal rainwater basin system. The PDF document is titled "ENGINEERING SOMETHING SPECIAL" for a reason. The need a better solution to the rainwater holding capacity of the Algiers and Harvey canals. We can build something that solves the problem for years to come and it can create many extra needed resources like a hurricane safe harbor. Please review the Letter and the 8 attachments. The attachments are intended to be printed on 11" x 17" paper.

Attention Mr. Bardley Drouant P.E.
CEMVN-WBVGRR@usace.army.mil

2-6-2020

I have **serious safety concerns** with the current plans of how the Algiers and the Harvey canals are planned on being utilized to store/hold rainwater prior to and during a hurricane event. There are more cost effective better ways of increasing the available volume for the rainwater than the current plans of raising the Algiers canal and Harvey canal levees over and over again! In addition with proper management we can and should provide additional sorely needed improvements to the waterways!

The new world's largest pumping station may not be able pump the rainwater out as fast as it is being pumped into the canals. So the current plan is to shut the Westbank 16' high GIVWW Hurricane Gates prior to a Hurricane and pump down the Algiers and Harvey Canals to provide more volume for the coming rainwater. Then the lower rainwater pumping stations can pump the rainwater into the Algiers and Harvey canals ABOVE the houses to near the top of the Algiers levee before or while a hurricane hits. WOW that sounds like an ENGINEERED DISASTER in the making!!!

So now the plan is to raise the Algiers levee system again so that the lower rainwater pumping stations can pump the rainwater into the Algiers and Harvey canals EVEN HIGHER ABOVE the houses before or while a hurricane hits. AGAIN WOW that sounds like an EVEN BIGGER ENGINEERED DISASTER in the making!

In addition the last time I checked Map Quest Satellite images I counted more than 200 barges over 130 feet long in the Algiers and Harvey canals. The barges are a major safety concern when lowering and raising the water level so much in the canals since the barges will probably will be moored while the water level is at the lowest point. The rainwater could raise the water level as much as 8 to 10 feet possibly pulling the moorings loose. The average river barge is about 35' wide x 195' long x over 15' high and weighs in at about 295 tons (590,000 pounds) but only drafts about 20" when empty. If one of these empty barges rips loose and is blown into the top of the levee while rainwater is being stored near the top of the levee it will probably bust through the levee and destroy homes and possibly kill people. In addition to the huge safety issues with the empty barges the levee system has multiple hurricane gates installed in the levees to allow businesses access to the canals. All these levee gates create additional safety issues since they have to be closed before a hurricane approaches. Many of these levee gates are used for cranes and heavy equipment and were added because the Army Corps was raising these levees and the Businesses needed access to their waterfront property. If one of these levee gates is damaged just prior to hurricane and cannot be closed we might as well not even have a levee.

SOLUTION: Increase the rainwater holding volume in the Algiers and Harvey canals by moving some of the existing levees to create a larger square foot area for the rainwater to spread out in when pumped up into these canals. There are huge multiple undeveloped areas of land just outside the banks of these canals that could be used to increase the rainwater storage capacity of this system. By doing this the rainwater will not need to be pumped up as high over the level of the surrounding homes making it safer! .

The Algiers Canal is approximately 11 miles long and the Harvey Canal is approximately 6.5 miles long and the average width in-between the levees is about 550 feet. That is the

pg. 1 of 6

Attention Mr. Bardley Drouant P.E.
CEMVN-WBVGRR@usace.army.mil

2-6-2020

Algiers and the Harvey canals add up to about 92,400 linear feet of canal about 550 feet wide. That is an area of about 50.8 Million square feet. So raising the levee system about 1 foot will only add about 50.8 Million cubic feet of added volume for rainwater. We can do much better than that by widening sections of the canals.

There is a huge amount of unused property along the banks of the Algiers canal and the Harvey canal. It also appears that some of it is already "Government Owned" or at least restricted from residential development. See Attachment #1. Attached is 11 optional locations that can be used to increase the rainwater holding capacity of the Algiers and Harvey rainwater canals as well as provide other benefits. The first ten of these locations provided do not even encroach on any existing or future anticipated roads or on any existing structures or existing power lines. Moving a section of the levee over to create additional volume for holding the rainwater is probably a cheaper, better and more ROBUST/SAFER way to increase the rainwater holding capacity than pumping the water up above the people's houses! Again there are at least 11 undeveloped sites along the Algiers and the Harvey Canals that can be claimed/used to create additional area for rainwater holding volume.

We can move levees and maintain a slightly elevated batture side about 1.5 to 2 feet above the normal water level and still use the land for items like gun ranges, dirt bike & ATV trails. We can also move the levees to create lagoons/rainwater reservoirs that can serve as small craft safe harbors. This option can and should also include some public improvement options and/or commercial options. It is truly sad that we have so much water area blocked off from the public and it is not being used wisely. We sorely need **hurricane safe harbors** for all the commercial and recreational fishing boats or shrimp boats! Just look at all the damaged boats we had from hurricanes. We can also create Hurricane Safe Harbor/s for empty shallow draft barges; we can put pile clusters around the outer perimeter of the harbor for mooring and connect the pile clusters with heavy cables just in case a barge works its way free. Another option is for shallow recreational lakes that may or may not also include waterfront residential development. It is possible that we can get landowners to develop these lakes/lagoons at little to no cost to the public. We can offer developers an option in order to remove soil to create deep water canals within these lakes/harbors/reservoirs. Allow the land-owner to build up finger road access areas to the waterfront houses inside the lake area in return for allowing the levees to be relocated. We can require the builder to dredge at least 10 square feet at a depth not greater than 9 feet or less than 4.5 feet for every 1 square foot of road/land he builds up. All finger roads and land that he creates must be at least 8.5 feet high. In addition public utilities are to be provided in the plan. Note land development for the finger roads can and should be done before the area is flooded but should still meet the same cut and fill area criteria after it is flooded. Please note most of the land that is suggested in options #1 through #11 is undeveloped for a couple of reasons it is at or below sea level, and it is hard to access. Many of the landowners that own this property would probably like to sell it or have some options for developing it.

I see that we have the opportunity to be creative and do much more for our community than just raising the Algiers canal level system over and over. For about the same cost that the Army Corps is planning on spending we can probably create something monumental for our area that will be used and enjoyed for many future generations. Just

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look at area #11 (Attachment 6) which is a proposed 1,919 acre lake near the Algiers/Mississippi river locks. This one huge rainwater reservoir/lake has enough rainwater storage capacity to equal to raising the Algiers Canal Levee system 13.3 feet. That is only one option of many options and all the options have multiple options.

Example: Area #1

Area #1 is located southeast of the Algiers and Harvey Canal intersection near the Navy Base. I believe this area was restricted to prevent residential housing due to the Navy Plane activity but it can be used for the existing gun range, or archery ranges, or Motorcycle/ATV/Dirt Bike trails, boat launches, or parks just no housing and all of those items can be located on the Batture between the Levee and the water. Area #1 is about 21.9 Million square feet. So if the average elevation on the Batture side is around 1.5 feet and the water can raise up to 8 foot elevation. (That is 0.35 feet lower than the original levee elevation) So just with area #1 the rainwater holding capacity can be increased by about (21.9 million square feet x 6.5 feet height) = about 142.4 Million cubic feet. That would equivalent to raising the entire level system about 2.8 feet! (I.E. Adding Area #1 is like adding 142.4 million cubic feet) (Raising levee system 1 foot is equal to about adding 50.8 million cubic feet) SO → $(142.4/50.8 = \text{about } 2.8 \text{ feet})$. Note the Batture land can still be used! In addition I would also suggest the possibility of creating a huge lagoon/harbor area inside the Batture that would add additional volume. The soil from the lagoon could be used to insure that the rest of the batture area is at least 18" above the normal water level in the canal. The Lagoon area could also be used as an excellent area to create a protected boat launch. Use some imagination our waterways can be a huge resource but they are NOT be used wisely. Developing the property along the waterways can improve the quality of life for surrounding areas, bring money into the community and actually improve the care and maintenance of the levees while reducing the cost of maintaining the levees. *[Special Note: We do not want to create wetlands habitat. Currently there is not any wetlands habitat adjacent to the Algiers and Harvey canal levees and we want to keep it that way. Any revised areas should be land at least 18" above the normal water level in the canal or between 4' deep to 8' deep waterways. We do not want burrowing type animals]*

Army Corps and local Government officials should welcome an opportunity to renegotiate the "right-of-way" agreement with the landowners for some of the property along the Algiers and Harvey Canals. Please note the original "right-of-way" agreement was a quid pro quo agreement; all agreements are (you do something for me and I'll do something for you). Rather than the government having to buy the property or condemn the property and pay the landowners fair market price, the government offered the landowners a "right-of-way" agreement. So the community did not have to pay or pay as much for the use or ownership of the land and in return the landowners had access to their property and the waterway. Currently all landowners along the canal have the same rights and those rights are transferable. That is a big deal since the current landowners can subdivide the property in many tiny plots. That means that in the future the Government could be dealing with lots of landowners building levee ramps and boathouses across the Algiers canal levee system. If the government can renegotiate the "right-of-way" agreement with the landowner/s in the areas proposed in options #1 through #11 they can restrict the number of levee crossing in that area. In return the

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landowners that agree to the new revised "right-a-way" could have the right to develop elevated properties with the harbor or lagoons that will be created.
This can be a WIN WIN arrangement for everybody!!!

SETTING THE RECORD STRAIGHT:

1. Most of the land along the Algiers and Harvey Canals is not owned by the government. It is owned by hard working citizens or companies that paid for it and are paying taxes on the land they purchased. Many of the landowners even own to the centerline of the canal and the acreage over the water is counted as their land area that they own. That is the acreage over the water is included on the land ownership plots and is used to calculate their taxes. They pay taxes on that area over the water just like the land you can walk on. In addition the government has a "Right-Of-Way" agreement with the Landowners. In accordance with the right-of-way agreement, the government has the right to cutaway a portion of land to construct, repair, maintain and improve a canal. On the not so cutaway portion of land the government has the right to construct, repair and maintain a levee. Please note that right-of-way agreement explicitly said that the government has the right to improve the canal but it did NOT say that the government has the right to improve the levee. If the government had the right to improve the levee, the right-of-way agreement would have stated it. On such a vast right-of-way agreement many lawyers probably went over the wording of the right-a-way agreement and the word "improve" for the levees was deliberately removed by the landowner's attorneys! Many of the landowners wanted to develop the property for marine associated industries and wanted to use the waterways and maintain access to the waterways. They did not want to give the government the right to raise the levee above the original construction height and possibly restrict their access to the waterway. They were afraid that if the allowed the government the ability to raise the levee to whatever they wanted the government could restrict their access to the waterways and destroy their businesses. Also note that the right-of-way agreement explicitly states that the landowners have the right to use and enjoy their property as long as they do not infringe on those governments rights. Also note that there is an Army Corps drawing dated February 1955 listed as File NO. J-17-20002 titled "*Permit Requirements For Constructing Bulkheads, Structures, Slips, ETC., Along Algiers Navigation Canal*". This drawing establishes that the levee along the Algiers canal was originally constructed to an elevation of 8.35 feet and it also establishing some of the improvement that the landowners can do. It appears that raising the levee system above the 8.35 foot elevation is/was in violation of the right of way agreement. Now most of the residential landowners do not have a problem with the government raising the levee above the original construction height because they have property that the levee system protects. But most of them do have a problem with the government being a nuisance constantly raising the levee every couple of years restricting their ability to use and enjoy their

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property in order to provide secondary rainwater holding volume. Also note that many hurricane gates were added in the levee system to allow the businesses along the Algiers Canal better access after the Army Corps raised the Algiers levee.

2. There is this misconception that developing the property along the Hurricane Protection Canals like the Algiers canal will make it less safe. That is totally untrue. In general the landowners do a MUCH better job of maintaining and protecting the levee system than the government does and they do it at ZERO cost to the community!!!! If the land is developed the people use it and maintain it. They cut the grass and keep the grounds clear at NO COST to the public. What is even more important is that and they do a much better job at reducing the threat that burrowing animals like nutria, armadillos, rabbits, gophers, groundhogs, otters, and muskrats. The People that own the land that the levee sets on are as much the Stuarts of the canal and the levee as any government agency.

Example: In June 2008 Muskrats in Winfield Mo. were blamed for damaging the levee system and flooding hundreds of homes. South Louisiana has a major problem with nutria damaging the levee systems and they are bigger and more destructive. Land that is being developed or occupied along the levee does not have a nutria problem. The landowners run them off and removed their habitat. After hurricane Gustav hit on September 1 2008 the grass on the non-developed portion of the Algiers canal levee was not cut by the Government until about February the following year. PICTURES are worth a thousand word **please see attachment #7** for several pictures that illustrate this point. The reason was that the high water left debris on the levee that would need to be removed before the government could bush hog cut the levee. So they waited till the grass died used a blade to pull/push the debris to the water's edge then cut the grass. The problem with this is that if any burrowing animals like nutria, muskrats, rabbits, ground hogs, or armadillos did excavate their typical holes in the levee under the edge of the debris, the debris removal progress covered the damage. In contrast look at the picture all the residentially developed land was cleared and cut and maintained the entire time PERIOD. The right kind of development along the levees should be promoted for levee safety reasons.

3. Perception needs to change many government bureaucrats are unaware of who owns the property and the right-a-way agreement and the landowners rights. We even had government officials maliciously declare a public road on top of the levee and put it on GPS maps going to nowhere through people privately owned property. (**Please see Attached #8** for a copy of the GPS Map with the road to nowhere.) It was against the law per ordinance #04-213. Because of their malicious stupidity and incompetence we had the general public looking at it as a public road on the GPS systems. They thought that there was a *public* road on top of the levee and they were driving on top of the levee through peoples private backyards and launching boats on peoples private property. Because the government provided a small park under the Hwy 23 bridge with public parking and easy access to the illegal phony public road on top of the levee we even had people bringing trailers with ATV's. They were parking under the bridge to go

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ride ATV's on people's private property. There was a chain link fence near the railroad tracks but the chain and lock on it was broken repeatedly. The problem was reported to the Army Corps and at the time their answer was that we (the landowners) could fix-lock the gate and call the cops. I contacted Map Quest, Vista Map and other GPS map companies and told them repeatedly that the GPS map was WRONG. They said they would review it and that they only make changes to the GPS maps a couple times a year. When the change did not occur the GPS map companies were contacted again they responded that they checked with the appropriate government agencies and the GPS maps with the road to nowhere on top of the levee was correct per the government. This went on for almost a year I then had to pay an attorney get contact the government and get them to remove the illegal public road off the map. What is even worse is that I was trying to sell a house with a property deed that included the acreage from Field street to the centerline of the canal and that ALL of the real estate listings have a map with them and all of them show the illegal North Tunnel Public Road on top of the levee going through my privately owned backyard. This illegal public road shown on the GPS maps and real estate maps ruined the value of the house. This illegal public road probably cost me close to \$100,000.

4. Perception needs to change with many of the Tugboat captains and bridge operators. We had an issue with the Tugboat personnel trespassing and using private property to change crews in the past. The bridge operator was even facilitating this bad behavior watching them use private piers and privately owned bulkheads. The bridge operator has a bird's eye view and was watching it happen. The problem was brought up to the Plaquemine's parish counsel several years ago and for the most part the issue has been vastly reduced. The tugs boats are still pushing their barges up against the banks while they are waiting for their turn at the Algiers locks but they have gotten better at not encroaching upon private property that is developed and being used. Note a couple of years ago I had to call the police and report that somebody push on or hit my 12" thick by 3' wide concrete pier hard enough that it cracked it in half. They also ripped the bow off the front of one of my boats. I had to get rid of the boat fortunately I haven't had any issues recently. Note every now and then there are still a few that still sneak around and swap crews but the problem has for the most part been resolved however future development is coming and these barges need the designated areas and proper facilities for temporary mooring.

The Army Corp has a serious public relations problem especially with the people around the Algiers and the Harvey canals. I would strongly recommend that the Army Corps seriously review all options and complaints before making any decision to raise the Algiers and Harvey levee system.

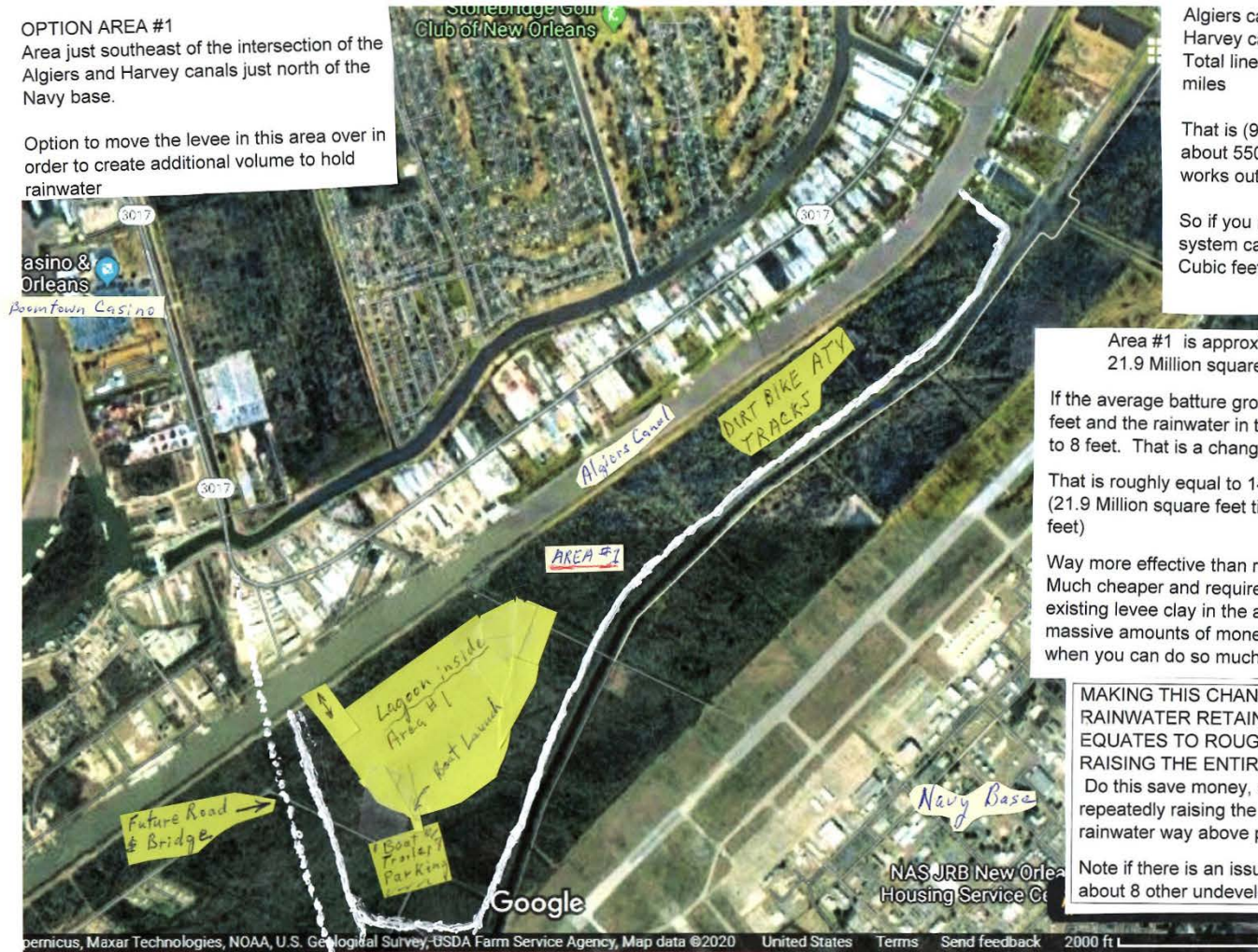
Sincerely Bert Sandlin

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OPTION AREA #1

Area just southeast of the intersection of the Algiers and Harvey canals just north of the Navy base.

Option to move the levee in this area over in order to create additional volume to hold rainwater



Algiers canal ≈ 11 miles long
Harvey canal ≈ 6.5 miles long
Total linear length along the canals is ≈ 17.5 miles

That is (92,400 feet) and the canals average about 550 wide in between the levees. That works out to about 50.8 Million square feet.

So if you raise the levees 1 foot then the system can hold an additional 50.8 Million Cubic feet of rainwater.

Area #1 is approximately
21.9 Million square feet

If the average batture ground height in Area #1 is above 1.5 feet and the rainwater in this added area can go from 1.5 feet to 8 feet. That is a change of 6.5 feet.

That is roughly equal to 142.3 Million cubic feet!
(21.9 Million square feet times 6.5 feet = 142.3 million cubic feet)

Way more effective than raising 22 miles of levees only 1 foot. Much cheaper and requires less cohesive clay soil even if the existing levee clay in the area is not relocated. Why spend massive amounts of money to work on 22 miles of levees when you can do so much more just moving 3 miles of levee?

MAKING THIS CHANGE WITH REGARD TO THE RAINWATER RETAINING ABILITY OF THE SYSTEM EQUATES TO ROUGHLY THE SAME THING AS RAISING THE ENTIRE LEVEE SYSTEM 2.8 FEET!

Do this save money, save time and be done with repeatedly raising the levees so that you do not pump rainwater way above people's houses!

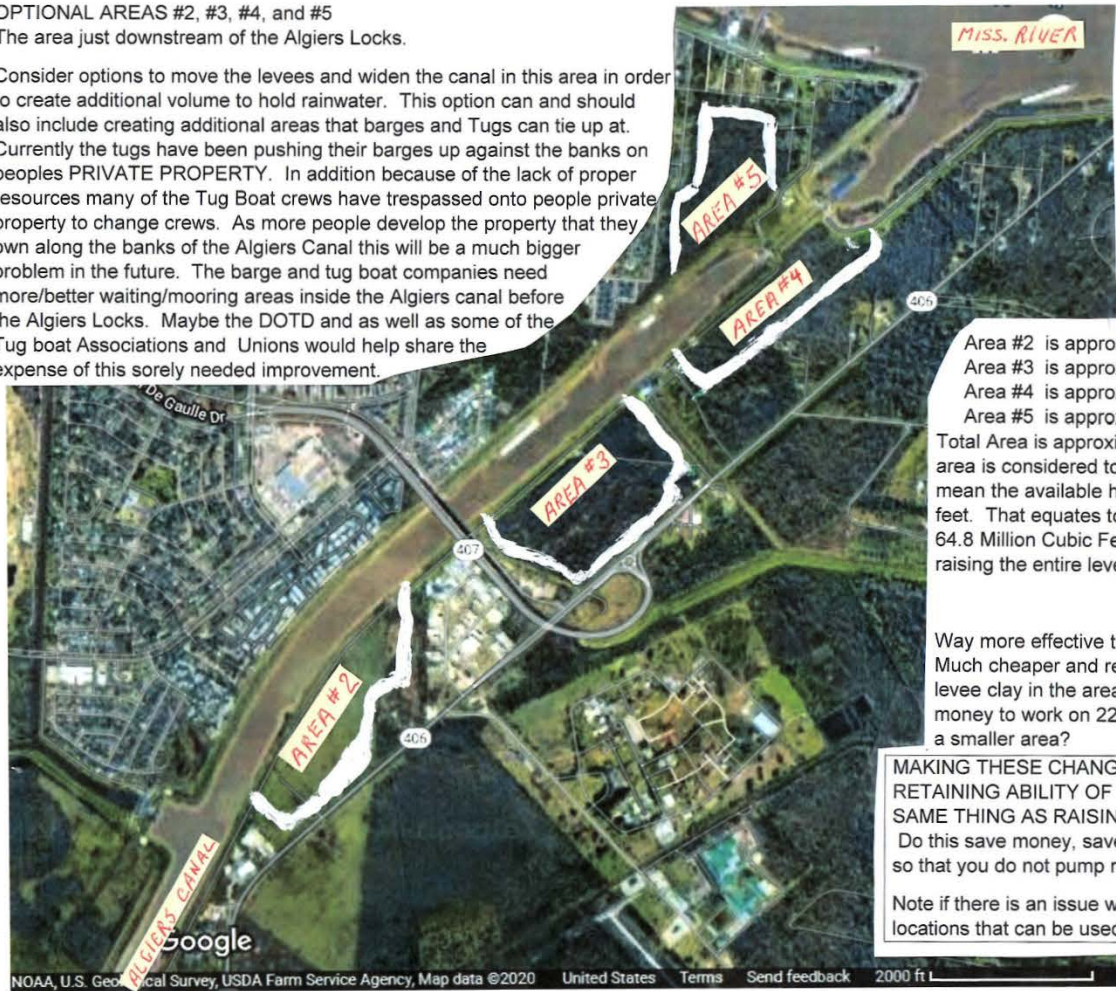
Note if there is an issue with this location there are about 8 other undeveloped locations that can be used!!

ATTACHMENT #1

OPTIONAL AREAS #2, #3, #4, and #5

The area just downstream of the Algiers Locks.

Consider options to move the levees and widen the canal in this area in order to create additional volume to hold rainwater. This option can and should also include creating additional areas that barges and Tugs can tie up at. Currently the tugs have been pushing their barges up against the banks on peoples PRIVATE PROPERTY. In addition because of the lack of proper resources many of the Tug Boat crews have trespassed onto people private property to change crews. As more people develop the property that they own along the banks of the Algiers Canal this will be a much bigger problem in the future. The barge and tug boat companies need more/better waiting/mooring areas inside the Algiers canal before the Algiers Locks. Maybe the DOTD and as well as some of the Tug boat Associations and Unions would help share the expense of this sorely needed improvement.

**OPTIONAL AREAS #2, #3, #4, and #5**

The area just downstream of the Algiers Locks.

Again the combined length of the Algiers and Harvey canals is about 92,400 feet and together these canals average about 550 wide in between the levees. That works out to about 50.8 Million square feet of area for the rainwater to be stored over.

So if you raise the levees 1 foot then the system can hold an additional 50.8 Million Cubic feet of rainwater.

Area #2 is approximately 2.6 Million square feet

Area #3 is approximately 2.6 Million square feet

Area #4 is approximately 1.7 Million square feet

Area #5 is approximately 1.2 Million square feet

Total Area is approximately 8.1 Million Square feet and since the entire area is considered to be dredged out for tugs and barges that would mean the available height in that area for rainwater would be about 8 feet. That equates to about (8 feet x 8.1 Million square feet) = about 64.8 Million Cubic Feet available for more rainwater. That is equal to raising the entire levee system about 1.3 feet!!!

Way more effective than raising 22 miles of levees only 1 foot.

Much cheaper and requires less cohesive clay soil even if the existing levee clay in the area is not relocated. Why spend massive amounts of money to work on 22 miles of levees when you can do so much more in a smaller area?

MAKING THESE CHANGES WITH REGARD TO THE RAINWATER RETAINING ABILITY OF THE SYSTEM EQUATES TO ROUGHLY THE SAME THING AS RAISING THE ENTIRE LEVEE SYSTEM 1.3 FEET!

Do this save money, save time and be done with repeatedly raising the levees so that you do not pump rainwater way above people's houses!

Note if there is an issue with this location there are other undeveloped locations that can be used!!

ATTACHMENT #2

OPTIONAL AREAS #6 and #7

The areas are just northeast of the Hwy 23 Bridge on the Algiers Canal



OPTIONAL AREAS #6 and #7

The areas are just northeast of the Hwy 23 Bridge on the Algiers Canal

Consider options to move the levees and create a lagoon/rainwater reservoir (small craft safe harbor) in this area. This option can and should also include some public improvement options and/or commercial options. It is truly sad that we have so much water area blocked off from the public. We sorely need a **hurricane safe harbor** for all the commercial and recreational fishing boats or shrimp boats!!! Just look at all the damaged boats we had from hurricanes. Another option is for waterfront residential development in order to remove soil to create deep water canals within this harbor reservoir the land-owner could build up road access areas to the houses. We can require that the builder to dredge at least 10 square feet at a depth not greater than 9 feet or less than 4.5 feet for every 1 square foot of road/land he builds up. All finger roads and land that he creates must be at least 8.5 feet high. In addition public utilities are to be provided in the plan. Note land development for the finger roads can and should be done before the area is flooded but should still meet the same cut and fill area criteria after it is flooded.

Again the combined length of the Algiers and Harvey canals is about 92,400 feet and together these canals average about 550 wide in between the levees. That works out to about 50.8 Million square feet of area for the rainwater to be stored over.

So if you raise the levees 1 foot then the system can hold an additional 50.8 Million Cubic feet of

OPTIONAL AREAS #6 and #7

Area #6 is approximately 12.4 Million square feet

Area #7 is approximately 2.6 Million square feet

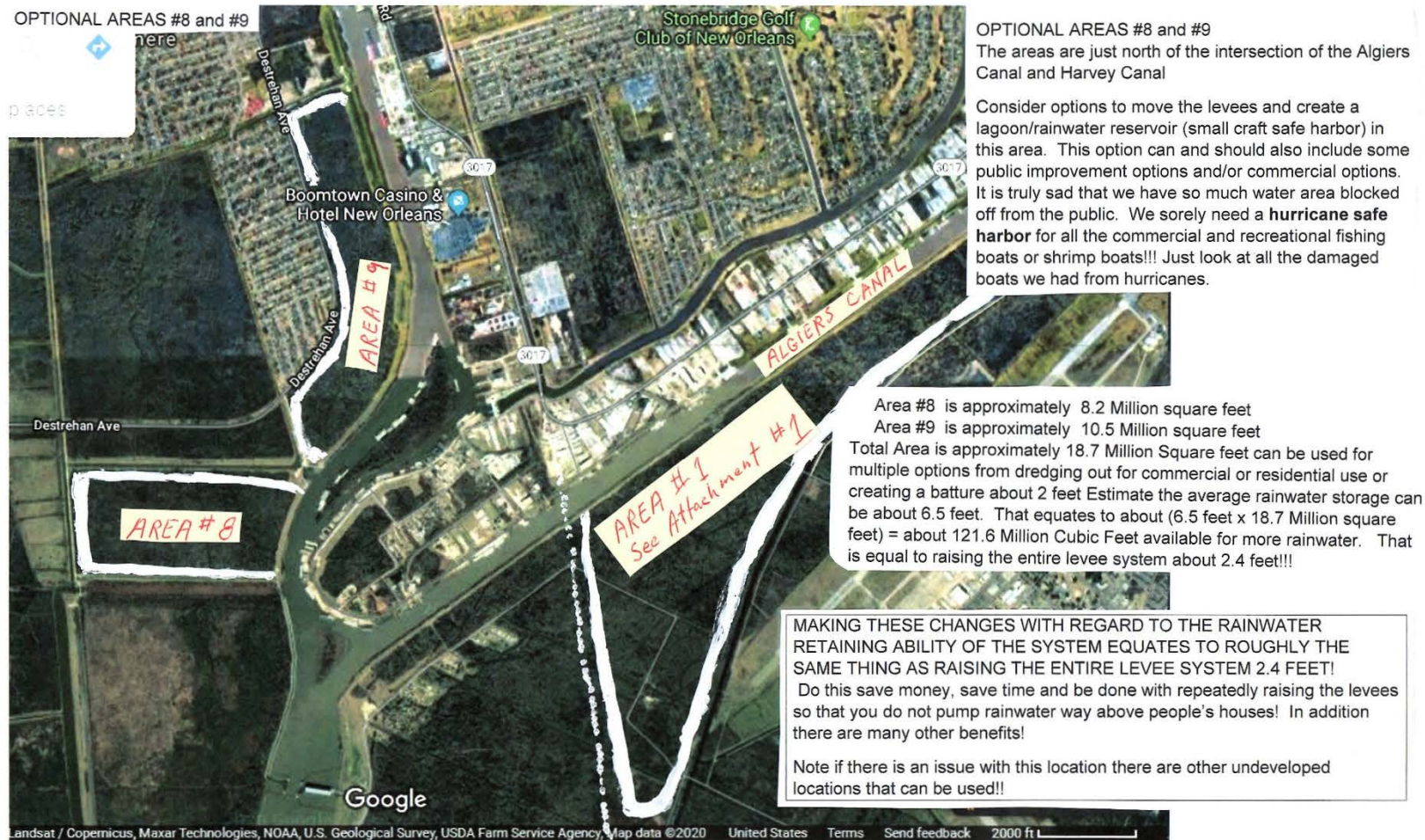
Total Area is approximately 15 Million Square feet and since most of the entire area is considered to be dredged out for tugs and barges that would mean the available height in that area for rainwater would be about 8 feet. That equates to about (8 feet x 15 Million square feet) = about 120 Million Cubic Feet available for more rainwater. That is equal to raising the entire levee system about 2.4 feet!!!

MAKING THESE CHANGES WITH REGARD TO THE RAINWATER RETAINING ABILITY OF THE SYSTEM EQUATES TO ROUGHLY THE SAME THING AS RAISING THE ENTIRE LEVEE SYSTEM 2.4 FEET!

Do this save money, save time and be done with repeatedly raising the levees so that you do not pump rainwater way above people's houses! In addition there are many other benefits!

Note if there is an issue with this location there are other undeveloped locations that can be used!!

ATTACHMENT #3



ATTACHMENT #4



OPTIONAL AREA #10

The areas are just east of the intersection of the Algiers Canal and Harvey Canal

Consider options to move the levee and create a lagoon/rainwater reservoir (small craft safe harbor) in this area. This option can and should also include some public improvement options and/or commercial options. It is truly sad that we have so much water area blocked off from the public. We sorely need a **hurricane safe harbor** for all the commercial and recreational fishing boats or shrimp boats!!! Just look at all the damaged boats we had from hurricane.

Please note that because of the proximity to the Navy Base and the flight paths residential housing in the area is restricted and this land has limited use available as well as limited value so this could be an excellent application for this land. Also note that there are possible future plans for a road and a bridge to connect Hwy 23 directly to Peters road. The dirt work associated with doing this project can be combined with the road and bridge project to reduce the overall cost of the combined projects. This shared cost can make this project much cheaper than the current plan and future plans of raising the entire Algiers canal levee system.

Area #10 is approximately 57.5 Million square feet

This area can be used for multiple options from dredging out for commercial or limited primate use or creating a batture about 2 feet. If we estimate the average rainwater storage for this area can be about 6.5 feet. That equates to about (6.5 feet x 57.5 Million square feet) = about 373.7 Million Cubic Feet available for more rainwater. That is equal to raising the entire Algiers and Harvey levee system about 7.3 feet!!! (I.E. That is based on the current area between the levee banks being about 50.8 Million square feet.)

Lafitte residents should also be very happy to see this type of project since it could possibly reduce the amount of rainwater that will be pumped into the Lafitte area before or during a storm surge.

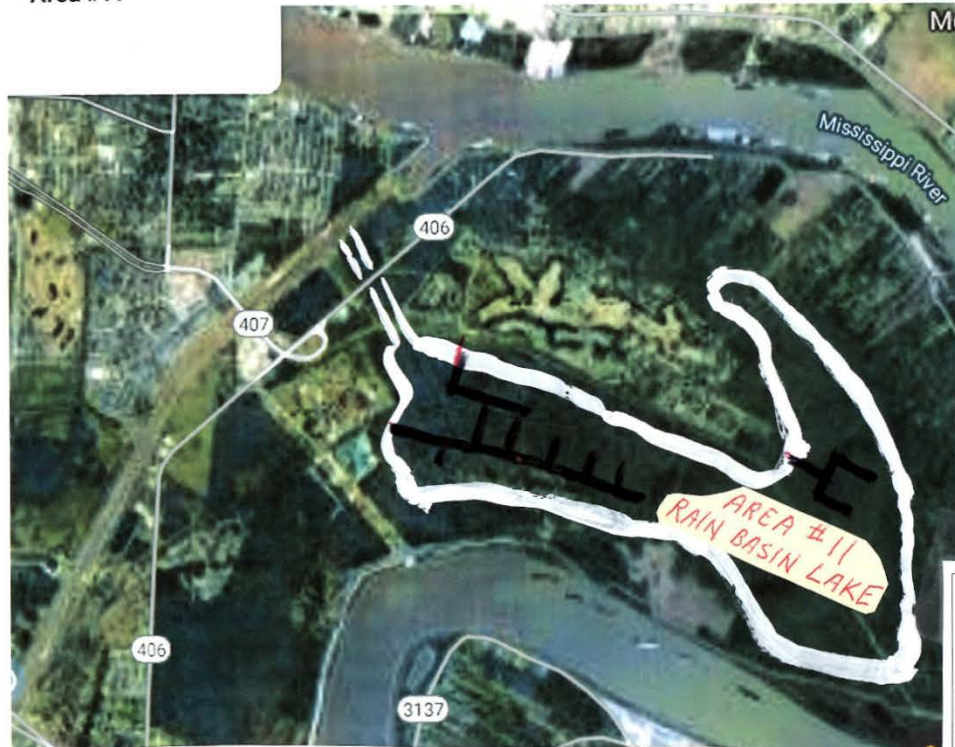
MAKING THESE CHANGES WITH REGARD TO THE RAINWATER RETAINING ABILITY OF THE SYSTEM EQUATES TO ROUGHLY THE SAME THING AS RAISING THE ENTIRE LEVEE SYSTEM 7.3 FEET!

Do this save money, save time and be done with repeatedly raising the levees so that you do not pump rainwater way above people's houses! In addition there are many other benefits!

Note if there is an issue with this location there are other undeveloped locations that can be used!!

ATTACHMENT #5

Area #11



Area #11 is approximately 83.6 Million square feet. This area can be used for multiple options from dredging out for commercial or limited primate use or creating a batture about 2 feet. If we estimate the average rainwater storage for this area can be about 6.5 feet. That equates to about (6.5 feet x 83.6 Million square feet) = about 543.74 Million Cubic Feet available for more rainwater. That is equal to raising the entire Algiers and Harvey levee system about 10.7 feet!!! (I.E. That is based on the current area between the levee banks being about 50.8 Million square feet.)

OPTIONAL AREA #11

The areas are just southeast of the Algiers Canal Locks

Consider options to move the levee and create RAINWATER BASIN LAKE. We need a lagoon/rainwater reservoir (small craft safe harbor) in this area. This option can and should also include some public improvement options and/or commercial options. It could include provisions so that portions of land inside the perimeter of the levee can be raised above the height of the levee. It is truly sad that we have so much water area blocked off from the public. We sorely need a **hurricane safe harbor** for all the commercial and recreational fishing boats or shrimp boats!!! Just look at all the damaged boats we had from hurricane.

Please note that most of the land is at or below the mean gulf sea level and the land is not very accessible. This land is currently not of very high value. The owner/s for this property would probably be very eager to negotiate a right-of-way agreement to make this a Rainwater Basin Lake. We do not want to haul dirt out of the basin area and we do not want to create wetlands near levees. We can make a WIN WIN right-a-way agreement with the landowners that would get the landowners to do a lot of the dirt work. We could use the existing soil in the basin area. We dig down and create the lake and channels and use that soil to make 8.5' elevated finger like roads as well as some lower elevated land for residential or commercial property inside the lake area.

MAKING THESE CHANGES WITH REGARD TO THE RAINWATER RETAINING ABILITY OF THE SYSTEM EQUATES TO ROUGHLY THE SAME THING AS RAISING THE ENTIRE LEVEE SYSTEM 10.7 FEET! Do this save money, save time and be done with repeatedly raising the levees so that you do not pump rainwater way above people's houses! In addition there are many other benefits!

Note if there is an issue with this location there are other undeveloped locations that can be used!!

ATTACHMENT #6



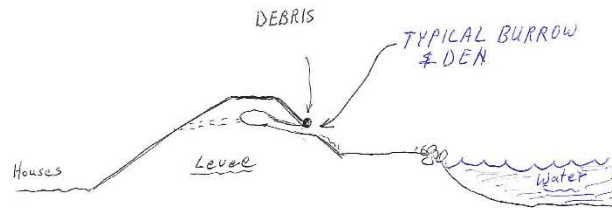
The land behind the gate on top of the levee is cut and maintained by the government. The land in front of the fence is developed property and the grass is cut and maintained by the landowner at ZERO cost to the public.



The land behind the fence is undeveloped property and the grass is cut by the government. The land in front of the fence is developed property and the grass is cut and maintained by the landowner at ZERO cost to the public.



The land on top of the levee is undeveloped property and the grass is cut by the government. Grass this high creates a habitat for burrowing animals that can damage the levee. People developing the property take better care of the levee than the government does.



If you leave debris on the levee and allow the grass to grow too high burrowing animals will damage the levee system. Burrowing animals typically like to dig on a hillside under a log and upward so that rainwater does not wash into their burrows and dens. Landowners diminish burrowing animal habitat.

ATTACHMENT #7



* Field Street, Belle Chasse, LA - Google Maps

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<http://maps.google.com/maps?q=>

All of the land in this neighborhood is privately owned. All of the Land Owners own from Field Street to the Centerline of the Canal. There is a government right of way for a levee. There are no right-of-ways for any public or private roads on top of the levee. There should be no reason that the Army Corp of engineering would want any public traffic on the levee damaging it. The Levee Board and the Army Corp of Engineers have the right to access the levee anytime to cut the grass or inspect the levee but there is no road.

Showing a road on your map has created a nuisance as well as an undue financial burden. This road appears on everybody's GPS passing by. People have repeatedly cut the locks on the gates at the Rail Road Tracks and we have had the general public driving through our backyards thinking that they should be able to use our boat launches, our piers, or our land to fish and leave a mess on. In addition one of my neighbors and I are both trying to sell our houses. When the prospective buyers go to the map on the ForSaleByOwner Website your map comes up showing a road going through the middle of our backyards. It is harder to sell a House when there is a map showing a public road going through your backyard even if there is no road. PLEASE HELP Tell me what needs to be done to get this road off the map. Who do we need to talk to?

12/19/2007

USACE Response:

Your assertion that the Algiers canal will be raised above previous elevations is incorrect. The recommended plan only calls for sustaining the existing elevation of the levees in the Algiers and Harvey Canals as part of the interior component of the Hurricane Storm Damage and Risk Reduction System. While levee lifts would occur to offset consolidation and settlement, they would not raise these levees above previous heights. Additionally, these areas are classified as Regulated Navigation Areas (RNA) by 33 CFR § 165.838 in order to ensure that barges or other large vessels would not pose a risk to levees and floodwalls. Prior to a tropical storm event barges and vessels will be required to evacuate the RNA. This process has been successfully implemented for years and during multiple events in 2020 alone.

Relocating the levee to increase storage would involve additional rights-of-way and significantly more borrow, increasing environmental impacts and costs. The recommended plan does not require additional storage volume. Your suggestion would not be the most cost effective or minimize environmental impacts to the natural and human environment.

4 PROJECT DELIVERY TEAM MEETINGS

The Project Delivery Team (PDT) consists of USACE team members and team members from the non-federal sponsor (CPRA) and federal cooperating agencies (U.S. Fish and Wildlife Service and National Marine Fisheries Service). Below is a list of key PDT meetings. The PDT met weekly. Only key meetings are summarized below. Full meeting minutes are documented in the project file and available upon request.

Date	Summary
10-14 September 2018	Initial PDT Kick-Off Meeting, Rapid Iteration #1, Site Visits
20 September 2018	Environmental PDT CEMVS & CEMVN: Call to discuss GRR NEPA documentation considerations moving forward
4 October 2018	Environmental, Tribal & OC PDT CEMVS & CEMVN: Call to discuss cooperating agency and coordinating with agency partners.
5-8 November 2018	Rapid Iteration #2, Site Visits
14 February 2019	Alternatives Milestone Meeting: MSC Planning and Policy Chief affirmed the PDT's preliminary analysis of the Federal Interest, and problems, opportunities, objectives, constraints, existing and future without project conditions, status of environmental compliance and initial array of alternatives for evaluation.
30 April 2019	PDT meeting to discuss plan formulation and screen measures
3 October 2019	Environmental and USFWS – Initial Wetland Value Assessment Discussion; Discussion with CEMVN Environmental on Mitigation Planning
9 October 2019	Tentatively Selected Plan Milestone Meeting: MSC Planning and Policy Chief affirmed the PDT's recommendation of the TSP
10 December 2019	Agency Technical Review Kick-off Meeting: District team and technical review team met to discuss the charge for reviewers and answer any questions.
11 December 2019	Independent External Peer Review (IEPR) Kick-off Meeting: District team and the IEPR team met to discuss the charge to reviewers and answer any questions.

5 DISTRIBUTION LIST

5.1 DRAFT REPORT PUBLIC REVIEW DISTRIBUTION LIST – 9 DECEMBER 2019

The District sent emails to elected officials, state and Federal agencies, interested citizens and parties announcing the project report's availability. The District sent out a press release to the New Orleans and regional media before the public review period and public meetings. Additionally, information about the public review and meetings was posted on the District's Facebook and Twitter accounts. 165 letters were sent to interested parties who have requested to be in the CEMVN District stakeholder and NEPA mailing lists notifying them where to download the draft report and information on the public meetings. This mailing list is maintained as a database and contains personal information, and therefore not provided here.

U.S. Elected Officials

Senator John Kennedy	U.S. Senator
Senator "Bill" Cassidy	U.S. Senator
Steve Scalise	U. S. Representative - 1 st Congressional District
Cedric Richmond	U. S. Representative – 2 nd Congressional District
Clay Higgins	U. S. Representative – 3 rd Congressional District
"Mike" Johnson	U. S. Representative – 4 th Congressional District
Ralph Abraham	U. S. Representative – 5 th Congressional District
Garret Graves	U. S. Representative – 6 th Congressional District

State Elected Officials

Senator Sharon Hewitt	Dist 1
Senator Jean-Paul J. Morrell	Dist 3
Senator Wesley Bishop	Dist 4
Senator Karen Carter Peterson	Dist 5
Senator Mack White, Jr.	Dist 6
Senator Troy Carter	Dist 7
Senator John A. Alario, Jr.	Dist 8
Senator Conrad Appel	Dist 9
Senator Daniel "Danny" Martiny	Dist 10
Senator Jack Donahue, Jr.	Dist 11
Senator Gary Smith	Dist 19
Rep Jerry Gisclair	Dist 54
Rep Gregory A Miller	Dist 56
Rep Kirk Talbot	Dist 78
Rep Julie Stokes	Dist 79
Rep Polly Thomas	Dist 80
Rep J. Cameron Henry, Jr.	Dist 82
Rep Robert E Billiot	Dist 83
Rep Patrick Connick	Dist 84
Rep Joseph Marino III	Dist 85
Rep Rodney Lyons	Dist 87
Rep Reid Falconer	Dist 89
Rep Walt Leger, III	Dist 91

Rep Joseph Stagni	Dist 92
Rep Royce Duplessis	Dist 93
Rep Stephanie Hilferty	Dist 94
Rep Terry Landry	Dist 96
Rep Joseph Bouie	Dist 97
Rep Neil Abramson	Dist 98
Rep Jimmy Harris	Dist 99
Rep John Bagneris	Dist 100
Rep Gary Carter	Dist 102
Rep Raymond Garofalo	Dist 103
Rep Christopher Leopold	Dist 105

Local Elected Officials

Mayor, City of Kenner	President and Council, Plaquemines Parish
Mayor, City of Jean Lafitte	President and Council, Orleans Parish
Mayor, City of Westwego	President and Council, Jefferson Parish
Mayor, City of New Orleans	President and Council, St. Charles Parish
Mayor, City of Harahan	
Mayor, City of Grand Isle	
Mayor, City of Gretna	

Federal Agencies

Joe Ranson	US Fish and Wildlife Service
David Walther	US Fish and Wildlife Service
Hannah Sprinkle	US Fish and Wildlife Service
Cathy Breaux	U.S. Fish and Wildlife Service
John Boatman	Natural Resources Conservation Service
Kevin Norton	Natural Resources Conservation Service
David Bernhardt	NOAA – National Marine Fisheries Service
Patrick Williams	NOAA – National Marine Fisheries Service
Craig Gothreaux	NOAA - National Marine Fisheries Service
Noah Silverman	NOAA - National Marine Fisheries Service
Kelly Shotts	NOAA - National Marine Fisheries Service
Joe Heublein	NOAA – National Marine Fisheries Service
Raul Gutierrez	U.S. Environmental Protection Agency Reg 6
Robert Houston	U.S. Environmental Protection Agency Reg 6
Guy Hughes	National Park Service
Jami Hammond	National Park Service
Kelly Altenhofen	National Park Service
Tomma Barnes	US Geological Survey
Ann Hijuelos	US Geological Survey
Michelle Meyers	US Geological Survey
Gary Zimmerer	FEMA, Region VI

State Agencies

Jack Montoucet	Louisiana Department of Wildlife and Fisheries
Dave Butler	Louisiana Department of Wildlife and Fisheries
Barry Hebert	Louisiana Department of Wildlife and Fisheries
Elizabeth Barron	Louisiana Department of Wildlife and Fisheries

Mathew Weigel	Louisiana Department of Wildlife and Fisheries
Kyle Balkum	Louisiana Department of Wildlife and Fisheries
Charles Reulet	Louisiana Department of Natural Resources
Jeff Harris	Louisiana Department of Natural Resources
Mark Hogan	Louisiana Department of Natural Resources
Sara Krupa	Louisiana Department of Natural Resources
Hannah Pitts	Louisiana Department of Natural Resources
Bren Haase	Louisiana Department of Natural Resources
James Bondy	Louisiana Department of Natural Resources
Don Haydel	Louisiana Department of natural Resources
Kyle R “Chip” Kline, Jr.	Coastal Protection and Restoration Authority
Michael Ellison	Coastal Protection and Restoration Authority
Alexis Rixner	Coastal Protection and Restoration Authority
Wes Leblanc	Coastal Protection and Restoration Authority
Justin Merrifield	Coastal Protection and Restoration Authority
Jonathan Bridgeman	Coastal Protection and Restoration Authority
James Waskom	Governor’s Office of Homeland Security and Emergency Preparedness
Casey Tingle	Governor’s Office of Homeland Security and Emergency Preparedness
Scott Guilliams	Louisiana Department of Environmental Quality – Water Permit Division
Diane Hewitt	Louisiana Department of Environmental Quality
Mr. Kristin P. Sanders	Louisiana State Historic Preservation Officer Office of Cultural Development

Interested Parties

The Nature Conservancy of Louisiana	West Jefferson Levee District
Avoyelles Parish Library	Lafourche Basin Levee District
Jefferson Parish Library	Lake Borne Basin Levee District
River Parishes Guide	Grand Isle Independent Levee District
Times Picayune	Orleans Levee District
Evans and Associates	Associated Press
Stantec	Bonnet Carre’ Rod and Gun Club
Ford Construction Company	WDSU-TV
Ducks Unlimited	WNOE-AM-FM
Luhr Bros Inc	WQUE-FM
Alberici	WWL-TV, Channel 4
Massaman Construction Company	WVUE-TV
Kansas City Southern Railway Company	WWOZ
St. Charles Grain Elevator	WCKW-AM
Circl, Inc.	Port of New Orleans
Crescent River Port Pilots Association	Pontchartrain Material Corp
Plaq Port Harbor and Terminal District	J H Menge & Co.
Plaquemines Newspaper	AUX LLC
Entergy	Berry Brothers Gen Contractors Inc
Crucial, Inc.	Grand Isle Shipyard Inc
Union Carbide/Dow Chemical	Plaisance Dragline & Dredging Co Inc
Kenner Star	South Central Planning & Development
C&M Contractors, Inc	Lafourche Telephone Co Inc

Diamon Services Corporation
Journal of Commerce
WHC Inc
CF Bean Corporation
CI Jack Stelly & Associates Inc
White Castle Times
Port of Greater Baton Rouge
CB&I
Hydro Consultants Inc
Nicholls State University
Port Aggregates, Inc
Louisiana State University
Outdoor Editor
State Library of Louisiana
DHH-OPH

Tribal Distribution List

Alabama-Coushatta Tribe of Texas
Caddo Nation
Chitimacha Tribe of Louisiana
Choctaw Nation of Oklahoma
Coushatta Tribe of Louisiana
Jena Band of Choctaw Indians
Mississippi Band of Choctaw Indians
Muscogee (Creek) Nation
Seminole Nation of Oklahoma
Seminole Tribe of Florida
Tunica-Biloxi Tribe of Louisiana

5.2 DRAFT REPORT PUBLIC REVIEW LETTER – 9 DECEMBER 2019 – Sent to Distribution List provided in Section 5.1 above



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

REPLY TO
ATTENTION OF

December 9, 2019

Regional Planning and Environment
Division South

Dear Sir or Madam:

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." You are receiving this letter because you may be interested in this project. The draft report and appendices are available online for your review and comment at the below website:

<https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/WBV-GRR/>

This GRR-DEIS will reevaluate the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

The U.S. Army Corps of Engineers is using this DEIS to initiate consultation for Section 106 of the National Historic Preservation Act (NHPA), with the State Historic Preservation Officer (SHPO) and with Federally-recognized Tribes. No determination of effect under the NHPA is being made at this time. Consultation will follow the standard Section 106 process. The determination of effect and any conditions will be documented in the Final Record of Decision before it is signed.

Please review the documents at the link above and provide comments by February 7, 2020. A public open house will be held the week of January 20th and details will be posted on the New Orleans District website: <https://www.mvn.usace.army.mil/Media/Public-Meetings/>

Interested parties may express their views on the proposed action. All comments postmarked on or before the expiration of the comment period will be considered and addressed as appropriate in the final report.

Comments should be mailed to the attention of Mr. Bradley Drouant; U.S. Army Corps of Engineers; New District; CEMVN-PMO-L; Room 361; 7400 Leake Avenue, New Orleans, Louisiana 70118. Comments may also be provided by email to CEMVN-WBVGRR@usace.army.mil. Mr. Drouant may be contacted at (504) 862-1516 if questions arise.

HARPER.MARSHALL
.KEVIN.1536114358
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Date: 2019.12.04 12:34:32 -06'00'

Marshall K. Harper
Chief, Environmental Planning Branch
Regional Planning and Environment
Division South

5.3 DRAFT REPORT TRIBAL/SHPO REVIEW LETTER – 9 DECEMBER 2019



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

REPLY TO
ATTENTION OF

December 9, 2019

Regional Planning and Environment
Division South

Cecilia Flores, Tribal Council Chairperson
Alabama-Coushatta Tribe of Texas
571 State Park Rd 56
Livingston, TX 77351

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled “West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS).” This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

The draft report and appendices are available online for your review and comment at the below website:

<https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/WBV-GRR/>

The USACE is initiating consultation for Section 106 of the National Historic Preservation Act (NHPA), with the State Historic Preservation Officer (SHPO) and with Federally-recognized Tribes with this letter for the referenced project. No determination of effect under the NHPA is being made at this time. Consultation will follow the standard Section 106 process.

NHPA consultation will address the Area of Potential Effects for portions of the project that are outside of the undertakings previously reviewed under Individual Environmental Reviews (IER) and Comprehensive Environmental Documents available at (<https://www.mvn.usace.army.mil/Missions/Environmental/NEPA-Compliance-Documents/HSDRRS-Projects/>). The WBV study includes the actions described in IERs #1, #3, #4, #6, #7, #12, #13, #14, #15, and #16 and are incorporated herein by reference.. The Section 106 consultation will provide the results of any Phase I Cultural Resources Survey (if necessary), and USACE's determination of effect to historic properties. This will provide an opportunity to for consulting parties to review NHPA specific documentation, per 36 CFR 800.11. The determination of effect and any conditions will be documented in the Final Record of Decision (ROD) before it is signed.

For purposes of understanding the undertaking, please review the documents at the link above. Should your tribe or agency want to provide comments upon the NEPA document, please provide comments by February 7, 2020. All comments postmarked on or before the expiration of the comment period will be considered and addressed as appropriate in the final report. A public open house will be held the week of January 20th and details will be posted on the New Orleans District website: <https://www.mvn.usace.army.mil/Media/Public-Meetings/>

Comments should be mailed to the attention of Mr. Bradley Drouant; U.S. Army Corps of Engineers; New District; CEMVN-PMO-L; Room 361; 7400 Leake Avenue, New Orleans, Louisiana 70118. Comments may also be provided by email to CEMVN-LPVGRR@usace.army.mil. Mr. Drouant may be contacted at (504) 862-1516 if questions arise.

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Date: 2019.12.05 16:12:12 -06'00'

Marshall K. Harper
Chief, Environmental Planning Branch

CC: An electronic copy of this letter with enclosures will be provided to Mr. Bryant J. Celestine, Historic Preservation Officer, Alabama Coushatta Tribe of Texas, celestine.bryant@actribe.org.



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

Regional Planning and Environment
Division South

Tamara Francis-Fourkiller, Chairman
Caddo Nation of Oklahoma
117 Memorial Lane
P.O. Box 487
Binger, OK 73009

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

The draft report and appendices are available online for your review and comment at the below website:

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Comments should be mailed to the attention of Mr. Bradley Drouant; U.S. Army Corps of Engineers; New District; CEMVN-PMO-L; Room 361; 7400 Leake Avenue, New Orleans, Louisiana 70118. Comments may also be provided by email to CEMVN-LPVGRR@usace.army.mil. Mr. Drouant may be contacted at (504) 862-1516 if questions arise.

HARPER.MARSHALL.KEVIN
VIN.1536114358
Marshall K. Harper
Chief, Environmental Planning Branch

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Date: 2019.12.05 16:13:10 -06'00'

CC: An electronic copy of this letter will be provided to Mr. Derrick Hill, THPO, Caddo Nation of Oklahoma, dhill@caddo.xyz



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

Regional Planning and Environment
Division South

Gary Batton, Chief
Choctaw Nation of Oklahoma
Attn: Choctaw Nation Historic Preservation Department
P.O. Box 1210
Durant, OK 74702-1210

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

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Comments should be mailed to the attention of Mr. Bradley Drouant; U.S. Army Corps of Engineers; New District; CEMVN-PMO-L; Room 361; 7400 Leake Avenue, New Orleans, Louisiana 70118. Comments may also be provided by email to CEMVN-LPVGRR@usace.army.mil. Mr. Drouant may be contacted at (504) 862-1516 if questions arise.

HARPER.MARSHALL
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Marshall K. Harper
Chief, Environmental Planning Branch

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Date: 2019.12.05 16:14:18 -06'00'

CC: An electronic copy of this letter with enclosures will be provided to Dr. Ian Thompson, Director/Tribal Historic Preservation Officer, Choctaw Nation of Oklahoma, ithompson@choctawnation.com and Ms. Lindsey Bilyeu, NHPA Section 106 Reviewer, Choctaw Nation of Oklahoma, lbilyeu@choctawnation.com.



REPLY TO
ATTENTION OF

Regional Planning and Environment
Division South

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

David Sickey, Chairman
Coushatta Tribe of Louisiana
P.O. Box 818
Elton, LA 70532

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

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Comments should be mailed to the attention of Mr. Bradley Drouant; U.S. Army Corps of Engineers; New District; CEMVN-PMO-L; Room 361; 7400 Leake Avenue, New Orleans, Louisiana 70118. Comments may also be provided by email to CEMVN-LPVGRR@usace.army.mil. Mr. Drouant may be contacted at (504) 862-1516 if questions arise.

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Date: 2019.12.05 16:15:12 -06'00'

Marshall K. Harper
Chief, Environmental Planning Branch

CC: An electronic copy of this letter with enclosures will be provided to Dr. Linda Langley, Tribal Historic Preservation Officer, Coushatta Tribe of Louisiana, llangley@coushattatribela.org.



REPLY TO
ATTENTION OF

Regional Planning and Environment
Division South

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

Melissa Darden, Chairman
Chitimacha Tribe of Louisiana
P.O. Box 661
Charenton, LA 70523

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

The draft report and appendices are available online for your review and comment at the below website:

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KEVIN.1536114358 HARPER.MARSHALL.KEVIN.1536114358
Date: 2019.12.05 16:16:18 -0600

Marshall K. Harper
Chief, Environmental Planning Branch

CC: An electronic copy of this letter with enclosures will be provided to Mrs. Kimberly Walden, M. Ed., Cultural Director/Tribal Historic Preservation Officer, Chitimacha Tribe of Louisiana, kim@chitimacha.gov.



REPLY TO
ATTENTION OF

Regional Planning and Environment
Division South

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

B. Cheryl Smith, Principal Chief
Jena Band of Choctaw Indians
P.O. Box 14
Jena, LA 71342

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

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Comments should be mailed to the attention of Mr. Bradley Drouant; U.S. Army Corps of Engineers; New District; CEMVN-PMO-L; Room 361; 7400 Leake Avenue, New Orleans, Louisiana 70118. Comments may also be provided by email to CEMVN-LPVGRR@usace.army.mil. Mr. Drouant may be contacted at (504) 862-1516 if questions arise.

HARPER.MARSHALL
KEVIN.1536114358
Marshall K. Harper
Chief, Environmental Planning Branch

Digitally signed by
HARPER.MARSHALL.KEVIN.1536114
358
Date: 2019.12.05 16:17:34 -06'00'

CC: An electronic copy of this letter with enclosures will be provided to Mrs. Alina Shively, Tribal Historic Preservation Officer, Jena Band of Choctaw Indians, ashively@jenachoctaw.org.



REPLY TO
ATTENTION OF

Regional Planning and Environment
Division South

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

Cyrus Ben, Chief
Mississippi Band of Choctaw Indians
P.O. Box 6257
Choctaw, MS 39350

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

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HARPER.MARSHALL
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HARPER.MARSHALL.KEVIN.1536114
358
Date: 2019.12.05 16:21:19 -06'00'

Marshall K. Harper
Chief, Environmental Planning Branch

CC: An electronic copy of this letter with enclosures will be provided to Mr. Kenneth H. Carleton, Tribal Historic Preservation Officer/Archaeologist, Mississippi Band of Choctaw Indians, kcarleton@choctaw.org.



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

REPLY TO
ATTENTION OF

December 9, 2019

Regional Planning and Environment
Division South

Mr. James Floyd, Principal Chief
Muscogee (Creek) Nation
Attn: Historic and Cultural Preservation Office
P.O. Box 580
Okmulgee, OK 74447

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

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HARPER.MARSHALL.KEVIN
VIN.1536114358
Marshall K. Harper
Chief, Environmental Planning Branch

Digitally signed by
HARPER.MARSHALL.KEVIN.1536114358
Date: 2019.12.05 16:26:48 -06'00'

CC: An electronic copy of this letter with enclosures will be provided to Ms. Corain Lowe-Zepeda, Tribal Historic Preservation Officer, Muscogee (Creek) Nation, section106@mcn-nsn.gov.



REPLY TO
ATTENTION OF

Regional Planning and Environment
Division South

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

Greg Chilcoat, Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

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HARPER.MARSHALL
14358
Date: 2019.12.05 16:30:44 -06'00'

Marshall K. Harper
Chief, Environmental Planning Branch

CC: An electronic copy of this letter with enclosures will be provided to Mr. Theodore Isham, Tribal Historic Preservation Officer, Seminole Nation of Oklahoma, isham.t@sno-nsn.gov.



REPLY TO
ATTENTION OF

Regional Planning and Environment
Division South

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

Marcellus W. Osceola, Chairman
Seminole Tribe of Florida
6300 Sterling Road
Hollywood, FL 33024

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HARPER.MARSHALL
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Marshall K. Harper
Chief, Environmental Planning Branch

Digitally signed by
HARPER.MARSHALL.KEVIN.15361
14358
Date: 2019.12.05 16:32:00 -06'00'

CC: An electronic copy of this letter with enclosures will be provided to Dr. Paul N. Backhouse, Tribal Historic Preservation Officer, Seminole Tribe of Florida, THPOCompliance@semtribe.com.



REPLY TO
ATTENTION OF

Regional Planning and Environment
Division South

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

Joey Barbry, Chairman
Tunica-Biloxi Tribe of Louisiana
P.O. Box 1589
Marksville, LA 71351

The U.S. Army Corps of Engineers, New Orleans District, has prepared a draft report entitled "West Bank and Vicinity General Re-Evaluation Report with Integrated Draft Environmental Impact Statement (WBV GRR-DEIS)." This GRR-DEIS reevaluates the performance of the WBV system given the combined effects of consolidation, settlement, subsidence, sea level rise, and new datum over time, and determine if additional actions are recommended to address the economic and life safety risks associated with flooding due to hurricanes and coastal storms.

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.KEVIN.1536114358
14358
Date: 2019.12.05 16:33:21 -06'00'
Marshall K. Harper
Chief, Environmental Planning Branch

CC: An electronic copy of this letter with enclosures will be provided to Mr. Earl J. Barbry, Jr., Cultural Director, Tunica-Biloxi Tribe of Louisiana, earlii@tunica.org.



REPLY TO
ATTENTION OF

Regional Planning and Environment
Division South

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118

December 9, 2019

Kristin Sanders, SHPO
LA State Historic Preservation Officer
P.O. Box 44247
Baton Rouge, LA 70804-4241

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Marshall K. Harper
Chief, Environmental Planning Branch

CC: An electronic copy of this letter with enclosures will be provided to the Section 106 Inbox, section106@crt.la.gov.