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U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
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Regional Planning and
Environment Division South
Environmental Planning Branch

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT (571A) West Shore Lake Pontchartrain Hurricane and Storm Risk Reduction Levee System St. Charles and St. John the Baptist Parishes, Louisiana

Description of the proposed action. The U.S. Army Corps of Engineers (USACE), Mississippi River Valley Division (MVD), Regional Planning and Environment Division South (RPEDS), has prepared this Supplemental Environmental Assessment (SEA) for the New Orleans District (CEMVN) to evaluate potential impacts of adjustments to the levee system in St. John the Baptist and St. Charles Parishes, Louisiana, as described in the Supplemental Environmental Assessment #571, West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Levee System St. Charles and St. John the Baptist Parishes, Louisiana (SEA 571), which evaluated additional changes to the WSLP levee alignment Right-of-Way (ROW). The Finding of No Significant Impacts (FONSI) associated with SEA 571 was signed by the CEMVN District Commander on June 29, 2020. SEA 571 supplemented the West Shore Lake Pontchartrain Environmental Impact Statement (2016 WSLP EIS; <http://www.mvn.usace.army.mil/About/Projects/West-Shore-Lake-Pontchartrain/>). The Record of Decision (ROD) for the 2016 WSLP Environmental Impact Statement (EIS) was signed by the Assistant Secretary of the Army on September 14, 2016. Supplemental Environmental Assessment #570, West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Structural Alignment Surveys and Borings Investigations St. Charles and St. John the Baptist Parishes, Louisiana (SEA 570) also investigated some levee alignment shifts as well as the addition of five stockpile/staging areas for construction related activities and the addition of a mitigation bank credit purchase option into the mitigation plan approved in the 2016 WSLP EIS for compensating bottomland hardwoods (BLH) impacts. The Finding of No Significant Impacts (FONSI) associated with SEA 570 was signed by the CEMVN District Commander on May 13, 2019. Supplemental Environmental Assessment #576 (SEA 576), Bipartisan Budget Act Construction Projects; West Shore Lake Pontchartrain (WSLP), Comite River Diversion (Comite), and East Baton Rouge Flood Risk Management (EBR), BBA Construction Mitigation evaluated alternatives to compensate for unavoidable impacts to significant resources associated with construction of the

WSLP, Comite, and EBR projects. The FONSI associated with SEA 576 was signed by the CEMVN District Commander on April 15, 2020. Finally, the Final Supplemental Environmental Impact Statement to West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Study, St. John the Baptist, St. James, Ascension, Livingston, St. Tammany, and St. Charles Parishes, Louisiana – Mitigation Plan Update (2023 WSLP SEIS) addressed compensatory mitigation opportunities and feasibility in St. John the Baptist, St. James, Ascension, Livingston, St. Tammany, and St. Charles Parishes, Louisiana. A ROD was signed by the Assistant Secretary of the Army for Civil Works on January 23, 2023. The 2016 WSLP EIS and ROD, SEA 570 and FONSI, and SEA 571 and FONSI, SEA 576 and FONSI, and 2023 WSLP SEIS and ROD are hereby incorporated by reference.

The Proposed Action would include modifications to the WSLP levee system in St. John the Baptist and St. Charles Parishes, Louisiana described in the 2016 WSLP EIS, SEA 570, and SEA 571. The majority of changes would be within the SEA 571 construction ROW corridor, except for 4 locations:

1. Temporary bypass roads near the I-55 pump station and drainage structures
2. Temporary construction activities near the Prescott Canal Drainage structure.
3. Power transmission corridor for the Reserve Relief Pump Station
4. Levee system re-alignment to accommodate a proposed runway extension for the Port of South Louisiana's Executive Regional Airport in Reserve, Louisiana.

All other design changes being considered would occur within the SEA 571 construction ROW corridor:

1. Levee system design
2. Drainage canal designs and locations
3. Drainage structure design, size, and location
4. Pump station design, number, and locations
5. Additional structures including construction of a vehicular floodgate at the surface of LA State Highway 51 and temporary bypass road

The Proposed Action consists of approximately 201 less acres of direct, negative impacts to swamp habitat (net of approximately 104 more AAHUs of swamp), and approximately 18 less acres of direct, negative impacts to BLH habitats (net of approximately 13 more AAHUs of BLH) as compared to SEA 571. The decrease of direct, negative impacts is attributed in part to the establishment of no tree clearing areas within the 2022 levee right of way. A total of approximately 235.3 acres of swamp and 25.0 acres of BLH would not be cleared during initial construction of the levee system. If these no tree clearing areas are to be disturbed during future construction or maintenance events, re-evaluation of habitat impacts and associated mitigation may be required. Indirect impacts to wetlands were found to be similar to those described in SEA 571, except for approximately 245 acres near I-55 where there would be additional hydrologic impacts beyond what was assessed in SEA 571. In addition, approximately 19 more acres of swamp (3 less AAHUs) and 11 more acres of BLH (6 less AAHUs) in

this area would be new indirect impact areas on the exterior of the levee system. All impacts to wetlands would be offset through either the purchase of mitigation bank credits or the construction of new, restored or enhanced habitats to replace lost habitats in accordance with the Clean Water Act, Section 404(b)(1) and the Water Resources Development Act of 1986, Section 906, as amended. The Mitigation Plan is described in the 2023 WSLP SEIS (<https://www.mvn.usace.army.mil/Missions/Environmental/NEPA-Compliance-Documents/Bipartisan-Budget-Act-2018-BBA-18/West-Shore-Lake-Pontchartrain/>).

Factors Considered in Determination CEMVN has assessed impacts of the No-Action and the proposed action alternatives on important resources, including hydrology, water quality, wetlands, wildlife resources, aquatic and fisheries resources, Threatened, Endangered, and Protected Species, cultural resources, soils and prime and unique farmlands, aesthetics and visual resources, recreational resources, and environmental justice. No significant adverse impacts were identified for any of these important resources. All practical means of avoiding adverse environmental effects have been adopted. All unavoidable habitat impacts would be fully mitigated through the plan identified in the 2023 SEIS.

In correspondence dated, [DATE], (CZDxxxxxxx), the Louisiana Department of Natural Resources (LDNR) stated that the Proposed Action is consistent, to the maximum extent practicable, with the Louisiana Coastal Resources Program. On April 6, 2023, the Louisiana Department of Environmental Quality (LDEQ) reaffirmed the previously issued a State Water Quality Certification (WQC 200512-01) will remain valid for the proposed project. Section 404(b)(1) was signed on [DATE] at the end of a 30-day public review period. In a letter dated [DATE], the Louisiana State Historic Preservation Office (SHPO) stated that no known historic properties would be affected by undertaking the Proposed Action. Through correspondence dated February 24, 2023, the USFWS stated that the Proposed Action would not likely adversely affect any threatened or endangered species in the Project Area. CEMVN has concurred with, or resolved, all draft Fish and Wildlife Coordination Act recommendation contained in a letter from the U.S. Fish and Wildlife Service (USFWS) dated March 22, 2023.

The CEMVN would implement and comply with the stipulations identified in the National Historic Preservation Act (NHPA) Programmatic Agreement regarding the WSLP Hurricane Storm Damage Risk Reduction System, as executed on May 16, 2014.

Environmental Design Commitments. The following commitments, as recommended by the USFWS are an integral part of the proposed action:

- 1) Hydrologic gages installed in the vicinity of the Proposed Action will continue to be maintained. These data would be used to test the WVA assumptions made in regards to indirect impacts to forested wetlands.

- 2) During levee construction, a qualified biologist will inspect the proposed work site for the presence of undocumented nesting wading bird colonies and eagle's nests. Two surveys will be performed each year; one in late March or early April and another in late November or early December.
- 3) For areas containing nesting wading birds (i.e. herons, egrets, night-herons, ibises, roseate spoonbills, anhingas, and/or cormorants), all activity occurring within 1,000 feet of a nesting colony will be restricted to the non-nesting period.
- 4) If an eagle's nest is discovered within 1,500 feet of the proposed action, then an evaluation and coordination with USFWS will be performed.
- 5) All on-site personnel are responsible for observing water-related activities for the presence of manatee(s). All work, equipment, and vessel operation should cease if a manatee is spotted within a 50-foot radius (buffer zone) of the active work area. Once the manatee has left the buffer zone of its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional sightings of manatee(s) in the buffer zone, in-water work can resume under careful observation for manatee(s).
- 6) Authorizations and permissions will be obtained from Louisiana Department of Wildlife and Fisheries prior to any work on the Maurepas Swamp Wildlife Management Area. Compensatory mitigation impacts on LDWF property would occur on LDWF property to the extent practicable.

Public Involvement Public Notice of the release and availability of the draft SEA and FONSI for public comment was published in the New Orleans Advocate on [DATE]. They were also mailed to persons and entities on the public mailing list for a 30-day public review and comment period that started on [DATE], and it was made available for download at <https://www.mvn.usace.army.mil/About/Projects/BBA-2018/West-Shore-Lake-Pontchartrain/>.

The proposed action has been coordinated with the appropriate Federal, state, and local agencies and businesses, organization, and individuals. A summary of comments received during the 30-day public review period would go here.

Conclusion CEMVN Environmental Planning Branch has assessed the potential environmental impacts of the Proposed Action, considered all public comments received during the public review period, and has determined that the action, if implemented, would not cause significant environmental impacts. Any habitat impacts would be mitigated through implementation of the mitigation plan described in the 2023 WSLP SEIS.

I have reviewed SEA 571A and have considered public and agency comments and recommendations. Based on the assessment conducted in SEA #571A and the implementation of the environmental design commitments listed above, I have determined that the proposed action will not have significant impacts and does not require the preparation of a Supplemental Environmental Impact Statements.

The plan is justified and in accordance with environmental statutes. It is in the public interest to implement the proposed action in SEA 571A.

Date

Cullen A. Jones
Colonel, U.S. Army
District Commander