Bayou Sorrel Lock, Louisiana
Feasibility Report

Public Meeting, February 13, 2003
Comments and Responses

1. Kenney Ourso, Juror, Bayou Sorrel
2. Mitchell Ourso, Parish President
3. Dickie Hebert
4. Randall Thigpen
5. Lee Randall
6. Ken Wells
7. Doyle Ashley
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Bayou Sorrel Lock Draft Feasibility Report And Environmental Impact Statement

February 13, 2003

Public Meeting

Iberville Parish Council Chambers

6:30p.m.

Mitchell Ourso:
The reason why the Corps wanted to have a public hearing on the building of a new lock structure in your area in Bayou Sorrel. So I was kindly asked to come here for a little 10-minute presentation and let me tell you as your parish president of what I have been tolerating so much with the Corps over the last four years and tell you the whole story so you will know what is going on. But before I get started, there's a couple of elected officials in here I want to recognize, where Kenny Ourso, a council member who represents most of you in the Bayou Sorrel area, in the rear of the building, and we have councilman, Mike Zito, who represents Plaquemine, and I'm just glad to see him here. I guess he's interested in seeing what's going on. And we have your newly elected constable from Bayou Sorrel, Ronnie Hebert. Well, I'm going to give you a little quick story.

Early on in my administration when I first won in '97, I took over office in November of '97. Well, early in '98, I had two Corps gentlemen came to my office and told me something about there was a possibility of building a new lock structure in Bayou Sorrel. And we talked a little while and nothing really ever happened after that initial conversation in '98. I didn't hear anything from the Corps again, never again did I hear from the Corps until recently here, within the end of 2002 – the last quarter of 2002 – about the lock structure. But in the meantime, in '98 when it was first introduced to me, a bunch of you residents here in the area who has property along the GIWW had brought it to my attention that of the land erosion problems that were occurring on your property on the GIWW. And believe me, I have... I felt that I had done everything in my power to see who were the culprits and what could be done about it and so forth, and getting with the state and having the Coast Guard down and this and that... I think I had made every phone call that I possibly could, except to the President of the United States. From Congressman Baker, you name it, I have called.

After numerous, I mean numerous, boat rides with the Coast Guard, the Corps of Engineers, a group of tour boat operators, um, you name it, I have ridden with all of them and shown them the effects of what is happening to the property values along the GIWW. And we had come to some kind of agreement that I had the towboat operators riding with me in the boat to show them the visible damage of what was going on and especially where the tugs were parking along the bank, along the Bayou Sorrel area, and they visualized what was happening. And at that time, they was gonna take all the tugs that were tying up which would be on the east bank from the Bayou Sorrel Bridge and move them all the way to the west bank where is the Corps property which removed the mooring facilities over here, and I don't think that was enough to be done because the damage was already done. And here recently, at the end of the year 2002, I met Mr. Darrel Broussard, and Mr. Darrel Broussard's with the Corps of Engineers. He is the gentleman who is going to put on this presentation to you all tonight, and him and I and another fellow from the Corps took another boat ride. This was my last, final boat ride. Like I said, I had been on eight of them with all kind of different federal and state and local officials and showing what was going on. So Mr. Broussard says, "We want to come show you exactly what we plan on doing with this new lock structure that we want

to build in the Bayou Sorrel area." And in the course of the conversation that him and I had, I showed him some problem areas and he more or less visualized to me what was this facility, where it was going to be located at, and did anybody have to be relocated, and I think that the people that would need to be relocated were sitting on Wilbert's land somewhere close to the inside docking facility that the parish maintains on the Intracoastal, and I put them in contact with the Wilbert's because the Wilbert's land meets up with the federal property towards the locks. So in conversation with Mr. Broussard, I said, "How much is this facility going to cost?" And Mr. Broussard at the time told me it was going to cost $79 million.

So we were sitting in my office after the boat ride with councilman Rousso and the new constable, Ronnie Hebert, and they were showing me the different aspects of the cost sharing in this project. And don't quote me wrong on the figures, but I think somewhere in the neighborhood of $52 million was going to be come up by the Corps of Engineers to build this project, and the other $27 million, give or take a little, was going to be from the trust fund that the towboat operators put together... it was going to help make those new locks become a reality. When he said trust fund and towboat operators, I said, "Well, you mean they have put up money to build this new lock structure and I've been begging and asking why don't they take care of these people's land?" So I really got somewhat disgruntled and real angry at knowing that I had took all these people riding over the course of a year and a half, and this never was told to me, that the towboat operators through a trust fund was going to put up $27 million on this project. And Mr. Broussard asked me, he says, "Well, what do you think it is going to take to make these people happy when we get this public hearing?" And I said, "Well, let me be honest with you. In my six years of public office as parish president, the only complaint I ever had, and I take 35 phone calls every day from people, the only complaint that I ever had about the locks or the towboats, was erosion problems that were happening in the Bayou Sorrel area. So Mr. Broussard... and I said, "You know, that kind of insults my intelligence that the towboat operators' trust fund is putting up $27 million when they are the ones that's causing this problem. It is their tows that's going up and down the GIWW that's causing this problem. Would they be willing to invest $3 or $4 million more to try to help the protection of erosion of these people's property?" And I'm going to leave it just like that.

And that's why Mr. Broussard is here today, him and his staff, are here to put on a presentation of what is going on and what their future plans are with these locks. He has kindly asked me to let handle the presentation, and they will entertain any questions that you have tonight in reference to this new lock structure if you got to stay here until midnight, it really doesn't matter. But they just want to put on the presentations and what I told you people here is the truth. I was highly insulted, and it's not the Corps' fault. I was highly insulted that I had three to four different big towboat companies riding in the boat with me realizing they had a problem, and they never came clean with me and told me that they have a trust fund. It's good for them to help speed their tows through the locks, but do they really care about your property? So, that is my discontent in the whole process to know that I spent countless hours up and down that Intracoastal with all types of people and making calls to Washington D.C. about this, and I have to find out from the Corps while he's putting on the presentation to me where the extra money is coming

from. If these people can't afford to do this, then I've got a problem with the whole locks being built. And today is your day, tonight is your night to ask the questions that needed to be asked about your property this coming year. So I'm going to go ahead and turn this over to Mr. Falcolm Hull. He is a gentleman that I've been working with at other projects over here. He really is a gentleman, and it's been good working with him over the years.

Falcolm Hull:
We welcome you to the public meeting tonight. We're here to present our tentative selected plan on improving and controlling navigation at Bayou Sorrel. So we want to hear from you. You had opportunity to review the draft report and environment impact statement, and we are going to be listening to your comments tonight. Before I go any further, I'd like to thank Mitch Ourso and the councilmen of the area holding this meeting for us tonight. We thank you for accommodating us with this meeting room. We do have to recognize one of the congressman's aides, Michael Eby, are you in the house? We appreciate your attendance tonight. When you came in the room tonight, you were asked to sign a card like this. We hope that everyone has signed a card and indicated whether or not that you would like to speak. We are recording the meeting tonight and we will have summaries available at a later date. So we'll give you that opportunity to see what transpired tonight.

What we are going to do tonight is I'm going to talk a little bit about the project. We will make a presentation. Darrell Broussard will make the presentation. We ask that you would hold your comments to about five minutes to give everybody an opportunity to speak, and we would prefer not to respond to your questions in depth but give us the opportunity to respond to you in writing. If you have any written statements, we will take your written statements. You will have at least 30 days after the meeting tonight to send in your written statements. So if you don't have the opportunity to say it tonight, or you think about something that you want to tell us, then put it in writing and we will receive it in New Orleans. Your written comments and your oral comments will be given equal consideration. Now we brought some of our staff here tonight to talk to you and respond to you, that you can talk to after meeting, and I'm going to recognize them at this time. I ask that you would stand as I call your name. Mark Haab. Okay, he's our navigation expert, so you can talk to him if you have any specific questions. Kelly Dunn; I think Kelly's from real estate... am I correct? Okay. Richard Boe; he's our environmental person. Marco Rosamano; he's our attorney. So if we get in trouble, we have somebody to help us out tonight. Beulah Harrison, from real estate. Mr. Joseph Dykes, senior project manager, in the back. And the young lady at the desk, Dianne Ganious, that received you tonight. There is of course, Darrel Broussard, who has been the director on this particular project and he will be making the presentation tonight. So we're going to turn it over to him to make the presentation tonight, and then after that, we will then give you opportunity to tell us what you think about our proposed plan. Thank you.

Darrel Broussard:
Thank you, Falcolm. Thank you, Mr. President. You quoted me quite a lot there and pretty much on point with everything that we talked about. Okay, as Falcolm stated,

we're here tonight for the public meeting for the Bayou Sorrel... this is the official project name, the Bayou Sorrel Lock, Louisiana Draft Feasibility Report and Draft EIS. The purpose of this meeting is to present the findings of this draft report that we're in the final stages of preparing and to provide the public an opportunity to comment on that plan. The purpose of the study that we have, we were authorized to study and develop an optimal navigation plan at Bayou Sorrel connection with structural improvements necessitated by changes in the MR&T project. These authorities that we're operating under for the flood control, there's a public law 662 section 601, and it basically authorizes the modification of Bayou Sorrel Lock. The navigation authority that we're operating under was Congressional resolutions adopted by the Senate and House of Representatives back in 1972, authorizing the study of the GIWW.

Where is Bayou Sorrel? This is sort of an overview of how Sorrel and the Atchafalaya Basin and everything fits into the whole state of Louisiana. The blue lines here, where the cursor is, this is the Mississippi River. This line is the Atchafalaya River, and these yellow lines represent levees. They contain the river system. Here is the West Atchafalaya Basin protection levee, here's the East Atchafalaya Basin and if you follow it down, the red line is the alternate route of the GIWW and it connects to the mainstem GIWW from New Orleans all the way out to Texas. So if you look here, Bayou Sorrel actually sits in one of the protection levees. Here is a better visual for you to see; if you're familiar with the area, this is the actual lock. Here is the protection levee that I was talking about. This is looking north and here is the Bayou Sorrel community right up in here, and the Atchafalaya Basin being here.

Why replace the lock? Sedimentation in the Atchafalaya Basin Floodway since the lock was built has caused the project flood flow lines to go up. It's silting in and the higher it silts in, the higher we have to build the levees to contain the design flow. The design elevation at this current time is 31.7 feet. The lock was actually constructed at 24 feet. The lock is structurally sound, but it cannot be raised to withstand the high flows. And here's a better visual to help you understand it. This is the lock. It's built at 24. All of the levees around the lock have been raised already to the proper elevations and we need to get to 31.7 to fill in the gap here for flood control reasons.

Why a bigger lock? On average, delays at Bayou Sorrel fluctuate around four hours per tow at Bayou Sorrel. A bigger lock is going to reduce the amount of time that a barge needs to transit the lock, and that is going to result in significant savings to transportation. One of the reasons it takes so long, is Bayou Sorrel is situated here. There is a lock, Port Allen, here. The next lock on the system, because most traffic wants to come north of Baton Rouge and go out west, so it needs to travel down the river, get on the alternate route, find its way to the GIWW and then go out west. And then the next lock is Leland Bowman. This is just the relationship of all the other Corps Locks that we have... Calcasieu Lock is further here, Bayou Boeuf. This is the New Orleans area where we have Algiers and Harvey. This is just some information on the existing locks. You can see the widths and the lengths that are there. Bayou Sorrel is at 56-feet wide, which is one of the smallest widths on the GIWW at this point.

The alternatives considered in this study. We sort of broke them up to take care of two situations because we have a flood control problem and we also have the navigation concerns. So we broke the plans up so that we can isolate the cost. The flood control only plans were actually build another lock, same dimensions as this one, but for the current elevation that we need to withstand the project flood. And we also took a look at an independent floodgate, which would be built out in the channel that if needed, we could shut the gate and it would provide the protection we would need. The other alternatives that we looked at was navigation combined with flood control, and those essentially were looking at larger locks built to the current elevation for flood control but also to eliminate the delays in traffic, and we took a look at 75-foot wide locks and 110 foot wide, both with 1,200-foot chambers.

A summary of what we did with the alternatives. This gives you a rough estimate, well, a pretty good estimate of the costs that were included. The way we determine which plan we select is we determine all the benefits that would come from this lock, divide them by the cost and we get what we call a B/C ratio. And we always take the one with the net average annual benefits as the selected plan. And here, the 75-foot wide by 1,200 foot has the highest net average annual benefits. The tentatively selected plan that we have, like I mentioned before, is a new 75-foot wide lock by 1,200-foot long, concrete chambered lock located next to the existing lock within government property. It is going to take a three-year construction contract to build it, and the existing lock will be closed once the new lock is operational. Further things involved in the selected plan are we're going to realign an access channel. I have a couple of slides that will show you much better what we're going to do there, and the positioning of this lock is going to allow the channel to remain open throughout construction. Here are some more visuals to help us. This is a shot looking north. The blue line is what we're considering where the new channel's going to go. The red will be the new lock. And this is what the first phase would look like at the end of the first phase, new locks in and channels dredged out. The next phase—this is the east access channel that I was referring to previously—this channel will be relocated out further away from the lock and it has to do with navigation concerns of the tows coming in having to line up with the new lock. So we're going to extend it out, use the material from there and fill in here where the existing lock is. And this is what it would look like at the end of the second phase. The third phase of this will be, we're going to fill in this channel here and also use the rest of the material to fill in here. At the end of the sequence, at the end of the three years when the lock is built and sometime down the road, this is what the new situation will look like... the new channel, the old channel will be closed and filled in, and this is a good rendition here.

Our vision for the future. Bayou Sorrel will be brought up to the current design grade to safely pilot the project flood, delays to tows will drastically be reduced, somewhere about 0.6 hours. This in turn, will reduce the number of tows that must tie up in the area, and it also as a result, will reduce the amount of erosion in the vicinity of the lock.

Allocation and apportionment of cost. Our recommendation in the report will be the floor MR&T portion will be funded 100 percent by the federal government and the inland navigation portion will be split 50/50 with the federal government and the Inland

Waterways Trust Fund. Here's a breakdown of the costs. It is presently said that the new lock will cost $79 million, $27.2 federal funds and then this is the portion of 50/50, so this would be the breakdown of costs. And next, Richard Boe will give us the environmental impact to this new plan.

Richard Boe:
Thank you, Darrel. We had some goals in mind as far as environmental planning for this project. One of the many goals that we tried to incorporate was to avoid development of additional dredge material disposal areas in the Atchafalaya Basin Floodway. Working with U.S. Fish and Wildlife Service and the State Department of Wildlife and Fisheries, we identified that as a concern that taking up the swamp and hardwood areas in the floodway was a detrimental thing that was occurring. As you can see from the further photograph on the right in the front of the room, even in the back, you can see those large areas of dredge material disposal. Most of those have been created through annual maintenance dredging of the GIWW just on the south side of the existing Bayou Sorrel lock. Those areas are viewed by the users of the basin as a detrimental thing; it takes up valuable swamp habitat and converts into more of an area that is not, you know, good for the crawfish and, well, just won't support any crawfish and can also block flows from the channel into the swamp which contributes to low oxygen water conditions in the swamp behind them. So that was a major consideration that we tried to incorporate into this project, was to avoid having to create more dredge material disposal areas. We also tried to incorporate using the existing bar pits in the vicinity for disposal of the dredge material that would be generated through construction of the project. The bar pits we know do provide some recreational fishing, but we felt that it would be better and more beneficial to use those bar pits for disposal of the dredge material instead of trying to create dredge material disposal areas in areas of existing swamp and enforce that area.

Also, part of the environment is obviously the human environment and we, you know, try to incorporate avoidance of disturbances to the local residents as much as possible. We have been able to incorporate into the project using some existing bar pits in the vicinity, two bar pits just to the east of the existing lock would be used for disposal of a lot of the material dredged during project construction. We would be using also some of the existing dredge material disposal areas for disposal of material generated through project construction. And the third goal up there that I think is very important; we would actually use the existing channels leading into and out of the existing lock for dredge material disposal over the long term. So in the future, even when this lock is built, instead of having to develop new disposal areas in the basin over time for annual maintenance dredging of the channel, we would actually be able to use those existing channels leading into and out of the existing lock for, we're estimating, probably something in the order of 30 to 35 years after the new lock is constructed. So thereby, we will avoid a lot of the impacts associated with the annual maintenance dredging in that area. The total amount of land that would be impacted by construction is 240 acres and those 240 acres would be converted into, as you can see, about 90 acres of new channels, 28 acres of new lock grounds, 113 acres of disposal area and there would be 10 acres that would be effected only because of a change in hydrology from being isolated from the river flow. The 240 acres are now existing disposal areas, and two areas of disturbed forest -- about 45 acres

inside the floodway and about 50 acres outside the floodway -- and the 52-acre bar pits, not land, but existing water, would also be built. So the 80.5 acres, that's what I was talking about, the existing channels and the actual lock chamber that would be filled over the project life, probably about 30 to 35 years, through annual maintenance dredging in the vicinity.

I don't have a slide to show our mitigation plan, but I'll explain that what we intend to do is all of the government lands that are incorporated in that Bayou Sorrel Lock area, all of the available lands would be planted with desirable trees, oak trees or hickory, sugar berry type trees, and managed and turned into a viable forested area. It's about 126 acres that we would actually do on the government lands over time as they become filled, we would go on and manage them in that way. Not so much an environmental impact, but there are five structures that would have to be removed in order to implement our tentatively selected plan and that's more of a real estate issue, so I'm going to turn that over to Mr. Marco Rosamano.

Marco Rosamano:
Good evening. If you look at those maps up there, you can see where the government... where we are going to construct this project. Most of the land is already burdened with real estate interests that the Corps has acquired. When we originally built this lock, we acquired much greater channel easements for possible enlargement in the future. We also had some disposal easements out there. We had some levee easements. And most of the project could be constructed with the existing real estate interests that we have. However, to clean up all those interests and to give us the greatest flexibility of utilizing the area in the future, we are going to go ahead and acquire full ownership over all of the project area. We are going to buy out whatever residual real estate interests that we don't already have in that area. So whenever we acquire real estate, we go through the process, up here, where we'll map the area, some of it will have different easements on it, so it will be divided up into various parcels that we'll acquire. We'll get title research on it. It appears that it's all owned by one landowner. We'll get it appraised. Our negotiator, Ms. Harrison will negotiate with the landowner and then our attorney, Ms. Dunn, will close the tract if we can work out, and we usually can work out a negotiated sale with the landowner, and just in case we can't, we would have the right to acquire the property through imminent domain through condemnation. There appears to be just one landowner, so the process will hopefully be simple.

The one additional feature of the real estate is there are some structures that presently are on the property that will have to be removed in order to construct the project. Those structures would interfere with the construction, and so they will have to be removed. There are some... as those structures are there precariously, since they're on our existing easements, there's only a limited amount of resources that we can utilize to help them. We provide them with some advisory assistance to explain the project, explain what moving expenses they might be entitled to, explain to them when they would have to move. We have to give a 90-day notice for them to vacate the property, and we can assist them in filling out any forms. They would be entitled to, also, moving expenses and those can either be a fixed amount, which we... our negotiator will go in, look at the

structure, see what size and how many rooms there are... we just offer the tenant a fixed amount to move, or pay actual reasonable moving expenses. In other words, if they'd hire someone to move their stuff, they would present us with the bill and if it was reasonable, we'd go ahead and reimburse them for that expense. And, like I said, since the property is burdened with all these easements already and these structures are on our channel, actually on our channel easement, which could be exercised any time, it's considered a precarious structure and those are the only benefits that the government allows us to offer them.

Darrel Broussard:
Thanks Marco. The study schedule that we're working on right now, the draft report that is out for public review right now, was submitted in November. The schedule should be completed May of this year. In small print here, I can get this to you after the meeting, but the report is actually out on the Internet where you can actually view the entire contents of the report. Following the final report being approved, we do what we call the PED phase, where we actually design everything... In the feasibility phase, we do some design. In the PED phase, we'll go out and actually design every piece of this project. That's scheduled to be completed in 2005. Construction is scheduled to start sometime around 2006, and be completed around the end of 2008. That's the end of the presentation. At this time, I would like to emphasize that the primary purpose of our meeting is to receive your views and opinions relative to the plan that we proposed. Only by hearing from you and using your knowledge and input, will we be able to know how to proceed with our planning efforts. I would like to ask each person who wants to make a statement tonight, proceed to the microphone located over here when you hear your name called. First state your name and the agency or organization if applicable. It is important because we are going to be recording your statements and they will become part of the record for the study. I would like to call first any elected officials, uh, Mr. President? Okay then, Mr. Kenny Ourso.

Kenny Ourso:
First of all, I want to thank all of you for attending this hearing tonight because your input is very important to this proceeding. Since I've been the juror of the Bayou Sorrel for a number of years, I know the situation pretty well, and am pretty familiar with problems associated with the flooding and the erosion damage. And I just want to go back and say that I met with Mitchell, the parish president, and Darrel Broussard, the project engineer, on December 5th, and Ronnie Hebert, from the Bayou Sorrel area, and we heard the presentation, went over several things and Mitchell pretty well let him know his position on things and I pretty well support that position as it stands today. As long as it provides for the lining of the channel banks with the limestone, and the possibility of mooring stations, not or – not mooring stations instead of the limestone. Otherwise, I will be bitterly opposed to it. I know that it would affect the area predominantly north and south of the bridge in protecting the shores there, the banks, and I do stand on that position. I support Mitchell and I know the council would also support us in that position for the people of the Bayou Sorrel area. Let me just move on with a couple of other things. Other than that, if they don't line the banks, then I would be for not having the construction or moving the locks completely out of the Bayou Sorrel area to the north of

the Bayou Sorrel area. I had posed that question to Darrel earlier and let him know that it was something in my thinking. Also, I just want to say that I think they would like to hear everybody's input and I think it would help this project in the long run. So, thank you all very much.

Corps Response:
The Corps of Engineers has been coordinating this project with the Parish President, Mr. Ourso and the Inland Waterway User Group. We have met with them as well as other interested parties to hear recommendations that would improve the Bayou Sorrel Lock design. The lock design will have rock protection extending 1-1/2 miles north of the existing lock and floating mooring facilities positioned to give barges a designated space for waiting. The design will incorporate a 2-ft cover of stone placed directly on the bank line extending from the top of bank to the bottom of the channel. Floating buoys will then be placed every 200-ft to prevent barges from resting on the bank protection. The rock will be placed on both banks while the buoys will only be on the west bank side.

The Bayou Sorrel community extends about 1-1/2 miles north of the Bayou Sorrel Lock. For socioeconomic reasons, no alignment that would directly affect the community of Bayou Sorrel was considered. Farther north lays extensive areas of bottomland hardwood forest and cypress swamp. In addition, the East Atchafalaya Basin Protection Levee and the navigation channel (Port Allen-to-Morgan City Alternate Route) diverge at 90-degree angles just pass the Bayou Sorrel community. Any alignment to the north of Bayou Sorrel would require dredging miles of new channel through bottomland hardwood forest and cypress swamp, causing significant adverse impacts to the environment and the area. An important principle in environmental planning is to restrict new development to existing developed corridors and avoid impacting undisturbed areas. There is an existing navigation corridor at Bayou Sorrel and a new lock can be built within this existing developed and disturbed corridor owned by the Government.

Mitchell Ourso:
What's your name again, sir? Marco Rosamano. Did you all hear what this gentleman said? Imminent domain, per the Corps. Your property is your imminent domain also. This is the federal government; they make their own money. They make their own money. And you know what I'm talking about; it's hard to fight the federal government. But you're talking about, he said, "Imminent domain." And what you are here for tonight is about your imminent domain. Just as they have theirs, you have yours. And you know how I feel about the project. I want to clear up one thing here. I had a fellow gentleman, Mr. Deloch, Mr. Deloch just came in after I made the initial presentation and maybe I don't have my story straight or whatever about the Inland Navigation Trust Fund. I think he cleared me up and I don't know if it's a true statement or not, I mean, I really don't know that the trust fund is supported by fuel tax based upon the towboat operators and the money is not really directed by the towboat operators to what it is used for, it is directed by these people. So, let's talk about imminent domain again. So, that's all I have to say. You know how I feel about the project. Tonight's your night, get it off your

chest and say, "I knew what was told to me and I'm sticking by my guns the whole way." So, if you have something to say, please say it tonight and get it over with. Thank you.

Corps Response: The following excerpt was taken from the User Board's web page; http://www.iwr.usace.army.mil/userboard/statusoftrustfund.htm.

The Inland Waterways Users Board is an industry Federal advisory committee established by Section 302 of Public Law 99-662. The eleven-member Board represents all geographic areas on the fuel-taxed inland waterways system of the United States. The composition of the Board also reflects a balanced industry focus, including shipper and carrier members from companies of different sizes and specializing in the transport of different commodities.

The Board's purpose is to make recommendations to the Congress and the Secretary of the Army on the priorities and spending from the Inland Waterways Trust Fund for construction and rehabilitation projects on the fuel-taxed system. Such recommendations reflect the independent judgment of the Board and are reflected in an annual report made to the Secretary of the Army and the Congress. The Board typically meets three times a year to accomplish its business, with the meetings open to the public.

The U.S. Army Corps of Engineers is the proponent for the Board. The Director of Civil Works is the Executive Director of the Board. The Corps Headquarters also provides the Executive Secretary to the Board. The Corps' Institute for Water Resources in Alexandria, Virginia provides the Executive Assistant and other subject matter specialists that support the authorized activities of the Board.

Darrel Broussard:
Thank you, Mr. President. I'm going to shuffle the cards to call out, and as you hear your name, and that way we could get through this. Dickie Hebert?

Dickie Hebert:
Hello. My name is Dickie Hebert. I'm a member of the Fire Department in the area and one of my concerns is availability because of the increase in boat traffic. I read a report in the newspaper the last time they had this meeting, I didn't get to make it to it, but I was curious. I mean, I'm not from Sorrel, but I am part of that area because I do help respond to many calls there. But with the increase in boat traffic, there's supposed to be about 60 percent, and that's an increase in use of the bridge, with the bridge being open quite a bit. And I was just curious, with all the money that's being spent, because everything I heard here tonight is not on what you're going to do to help out the people in the area of Sorrel itself, it's how you're going to design the new lock to be able to make it easier, quicker, save the tow companies money, and also try to help out on some of the dredging, because I know you all pump a lot of sand every year. Once you do that, and this meeting is over with, and your projects begin in 2006 and people come back and see some of the things going on and you say, 'Oh well, it's too late. We've started. You know this is the general project and this is how it's going to go. You know, we can't change it now, we've already spent too much money in drawing all of this up." So my concern is,

because I'm with the Fire Department, it's more... I mean, the concern of erosion is very important. But it's also the availability, of getting to people in need, because the bridge will be open a lot and once it's open, you can't just close it. You know, with any medical emergency, fire emergency or anything like that, 10 to 15 minutes means a lot, especially on a structure fire. You know, with 10 minutes you can save a structure with minimal damage... in 10 minutes or less, you know, the structure can be fully in flames and all you're doing is putting flames out and like they say, what's the point in saving a slab, basically. So, that's my major concern on that part. And the reason I'm saying that is that with all the money that's being spent on putting this lock in, would it be possible to build an overpass in that area? Because with mooring and the increase in boat traffic, possibly longer barges, these companies are saving a lot of money. You know, the average I believe is about an hour for each tow to go through the lock once it's built. If there is an overpass built in that area, mooring could be done anywhere along the river from the Port Allen Lock all the way to the Bayou Sorrel Lock and quickly and easily move into position to go on through the lock. Thank you.

Corps Response:
In the Bayou Sorrel Lock, La. Feasibility study we analyzed historical barge traffic on the entire GIWW system including the Port Allen- to- Morgan City alternate route. We identified traffic movements associated with Bayou Sorrel Lock and determined that increasing the capacity of Bayou Sorrel has no substantial affect on the barge and tow traffic along the GIWW alternate route above the w/o project conditions. This means traffic projections are expected to increase even if we did nothing at the lock. They will continue to increase until it becomes cheaper to transport cargo by other means. A larger capacity lock at Bayou Sorrel will however get the traffic that is in the system away from the Bayou Sorrel community faster. This will translate into fewer bridge openings.

Darrel Broussard:
Thank you. Mr. Randall Thigpen?

Randall Thigpen:
Good evening, everyone. Mr. Broussard. I'm Randy Thigpen. I live in Port Allen, Louisiana, and I represent my company, Westgate Incorporated, participate with the West Baton Rouge Chamber of Commerce as well as the Iberville Chamber of Commerce. And I submitted some public comments to Mr. Broussard in regard to his project requesting that the locks be... that the Corps consider the wider lock structure to be built. And the reason I gave in support of my request was a project, I'm sure some of you may have heard about it, Ballinger Shipyard considering, or they will be building a new shipyard to satisfy a contract with the military to provide some boats. I believe these boats will be 300 foot long by 87 foot wide, and a 75-foot wide lock would not allow the boats to pass through. The Port Allen Lock is not wide enough either, so as long as the new lock was gonna be built, I thought, well I'd like to see it built to maximize the use of the waterway, and I cannot support, the Ballinger Shipyard people are not here or are at least I don't know if they're here or not, but I wish they were here to tell us that they were interested in locating in Port Allen so we'd have a reason to justify building the

wider lock. Without their support, I don't have any justification other than to say that I think that maximizing the use of the existing waterway, that the 110 foot wide lock would be better in my opinion just to keep us from limiting what might be able to be done. I mean, Iberville parish and West Baton Rouge parish have real estate along the waterway and could make use of that. Businesses could locate there that could fabricate something wider than 75 foot that could be transported through that lock, and increase the possibility of businesses that could locate there. Anyway, I had submitted my written comments and as long as I was here, I was going to go ahead and tell you folks about them and let Darrel see me. So, thank you.

Corps Response:
For water resource planning studies, the Corps selects the recommended plan based on net contributions to the nation consistent with protecting the environment. The plan that maximizes net contributions to the national economic development account is designated the National Economic Development (NED) plan. In the case of replacement locks at Bayou Sorrel, the 75-ft by 1,200-ft lock is designated as the NED plan.

While the channel was designed with a 125-ft width, it was never intended for barge traffic to be configured larger than 80 feet wide. 33 CFR Part 162, Chapter 75 mandates the U.S. Coast Guard to restrict tows using the Morgan City-to-Port Allen Alternate Route to be no larger than 55 feet wide by 750 feet long due to bend way constrictions in the channel. Larger tow configurations, not to exceed 80 feet wide by 1,180 feet long, are allowed with special permits.

Darrel Broussard:
Thank you, Randy. Lee Randall?

Lee Randall:
How are you all doing? I've been fighting this thing for about 20 years. I got land at Jack Mill's Landing, two lots 50 x 185, and now they're 50 x 45. The land is gone because all these tugboats coming through here are bigger every year. I've been living in Bayou Sorrel for 30 years now. And when I first went down there, you had small boats with two barges, that was maximum. Now they come up with double-wides, three long. You want to put a lock in there 1200 foot long and 75 foot wide. That's so they don't have to break their tows and they can cut straight on through here, and they never slow those engines down. They're washing the grounds all the time. Once they go through there, they just keep on going. But the guys wanting the lock 110 foot wide and 1200 foot long, they don't pump that water back in the Atchafalaya River. When they open up those locks, they throw that lock up, that boat goes up to the Atchafalaya side when we got high water and it goes out. If a boat is waiting down here by my house, they open those locks up and all that water comes back on us. All that silt comes back through there all the time. The bigger locks you got, the more silt you got coming through there. You start running these boats through there real fast and they're gonna take out more land. Now what we're trying to do right now is just get a concrete abatement. I've been after him for two years and we've been going round and round, and the dangedest thing about is, I'm on the Atchafalaya Committee and I've been talking to Senator Thompson and he's been talking, everybody's been talking. If those tugboat people like you say,

can put up that kind of money so they can get their boats through faster, then they can go ahead and start helping us out a little bit. Now like I said, at Jack Mill's Landing, I've lost that land and I can't get it back. Those locks are no good to me. But I live at the foot of the Bayou Sorrel Bridge, and for some reason, when they come around the curves, they haul jack and then they shut down. And when they come out of the locks, they haul jack through the bridge and they shut down because they gotta make a big curve there. If you want to do something good, find another way to get away from Bayou Sorrel and go below us, I mean above us, in order to do that. Now, I'm going to ask you one question. Is this like Shintech? In other words, these locks are going to be built whether we say anything or not, right? I mean, tell us the truth.

Darrel Broussard:
Improvements will be done at Bayou Sorrel Lock.

Lee Randall:
Oh yeah, in other words, we're gonna get this lock whether we like it or not, right? Tell the truth.

Darrel Broussard:
Well, improvements are going to be done. But the final product is, we do still…

Lee Randall:
Yeah, that's all I gotta say.

Corps Response:
The objective of this study is to develop the optimal navigation plan in connection with improvements necessitated by the need to provide flood protection at Bayou Sorrel. This feasibility report has analyzed numerous alternatives and has recommended the plan that benefits the nation, the environment, and the local community. However, the authority for which this study is being conducted limits our improvements to the Bayou Sorrel Lock and the operations connected to its use. Any property around Jack Miller's Landing is outside of that authority.

33 CFR Part 162, Chapter 75 mandates the U.S. Coast Guard to restrict tows using the Morgan City-to-Port Allen Alternate Route to be no larger than 55 feet wide by 750 feet long due to bend way constrictions in the channel. Larger tow configurations, not to exceed 80 feet wide by 1,180 feet long, are allowed with special permits.

The Bayou Sorrel community extends about 1-1/2 miles north of the Bayou Sorrel Lock. For socioeconomic reasons, no alignment that would directly affect the community of Bayou Sorrel was considered. Farther north lays extensive areas of bottomland hardwood forest and cypress swamp. In addition, the East Atchafalaya Basin Protection Levee and the navigation channel (Port Allen-to-Morgan City Alternate Route) diverge at 90-degree angles just pass the Bayou Sorrel community. Any alignment to the north of Bayou Sorrel would require dredging miles of new channel through bottomland hardwood forest and cypress swamp, causing significant adverse impacts to the

environment and the area. An important principle in environmental planning is to restrict new development to existing developed corridors and avoid impacting undisturbed areas. There is an existing navigation corridor at Bayou Sorrel and a new lock can be built within this existing developed and disturbed corridor owned by the Government.

Darrel Broussard:
Thank you, Lee. Ken Wells?

Ken Wells:
Good evening. I'm Ken Wells. I represent the American Waterways Operators. We are the national trade association for the towboat barge industry, which I've heard described various ways tonight. But basically, I think that I'm coming here to support the position of most of the people in this area and that's that this project is something that needs to be done. If we're going to address the flood control issue, we need to address it. If we're going to modernize the waterways, we need to modernize them. This lock does both. So we support this project. We've had some concerns about how the costs are allocated, the least cost alternative. We think the Corps should go back and look at that, and put some more realistic numbers with it. I outline that more fully in our written comment, but basically, I know that a lot of work has gone into bank stabilization as a part of this project. I know that the Corps has been willing to rework the project start in order to do bank stabilization. That's a good thing, a good thing that comes out of this project. It's a necessary thing. As you're doing that, the only thing that we would add is if we could get uniform rocks, smaller in size, I know that is a concern that you don't want anybody to roll up against these rocks. Believe me, they don't want to either, but if they are the large jagged boulders kind of riffraff and stuff we tend to drop in the waterway, the potential for an accident is pretty big. The potential for a spill is big. We want to avoid that. So as you're stabilizing the banks, we hope you'll go for uniform. We need mooring installed as a part of this plan, we need a place to tie off barges. A large part of the problem is that there's just nowhere to lay up a barge or lay up a towboat as you're waiting for that lock to cycle through. A new lock means we don't have to wait; less temptation to push off against the bank. If we could have mooring installed, that would take care of the vessels that are waiting. We also finally... the information about Ballinger is still new information. It is an interesting wrinkle. We hope you'll go back and study that in light of this, and if it means getting the Ballinger people directly in contact with you, we'll certainly do what we can for that. But overall, we'd urge you to go ahead and build this project and do it with all speed. Thank you very much. Oh, one more thing, is that I'm speaking tonight also for the Gulf Intracoastal Canal Association, who couldn't be here and I have both of their written comments for you.

Corps Response:
In our plan formulation exercise we identified the no-action plan as a possible alternative. In the case of Bayou Sorrel Lock, we had two alternatives that could satisfy the no-action plan, a replacement-in-kind lock and a float-in floodgate. The no-action alternatives were formulated with the absence of navigation improvements as the least cost solution to improving the flood control problems. The no-action plan also serves as

the base plan upon which all other alternatives are compared against. The two alternatives were then analyzed and indexed to a common base year so that the cost could be compared. The components that we based our analysis on are: Construction, Engineering and Design, Operation and Maintenance, Construction Management, Mitigation, Real Estate and Total Closure to Navigation costs. The float-in floodgate was recommended as the least-cost no-action plan in the draft report. In part, the key factors are the construction cost and channel closure cost. Both factors were based on a similar project, East of Harvey floodgate, within the New Orleans District with unique construction techniques. At the time the draft report was prepared, we were in negotiations with a potential contractor.

Since that time, we have gained more knowledge into the construction estimates for such a unique design. Based upon a detailed specification - details that are not available due to funding at this level of a report we have increased our construction cost estimate. The increase has caused the replacement-in-kind alternative to become the least-cost no action plan. The cost sharing apportionment has been adjusted accordingly.

The lock design will have rock protection extending 1-1/2 miles north of the existing lock and floating mooring facilities positioned to give barges a designated space for waiting. The design will incorporate a 2-ft cover of stone placed directly on the bank line extending from the top of bank to the bottom of the channel. Floating buoys will then be placed every 200-ft to prevent barges from resting on the bank protection. The rock will be placed on both banks while the buoys will only be on the west bank side.

Darrel Broussard:
Thank you, Ken. Doyle Ashley? There's a "maybe" on here. Do you still want to speak?

Doyle Ashley:
Thanks to all of you. I'm trying to pay attention to it, but I think when you build your lock, your 1180-foot tows coming out of there are going to give you more erosion because you're going to have to use more horsepower to kick it and save a lot of your tow. And I also just think that some consideration should have been given for moving the lock on above Bayou Sorrel, and then all of the community wouldn't be disturbed or anything, or the bridge. The way it is now, with those 1180-foot tows, we're going to get to be a bunch of tourists watching the towboats go by waiting for the bridge most likely if something isn't done to try to alleviate that problem with the bridge. So, I think some consideration, more consideration should have been given to moving the locks on above. The soil and also the sand, if you make it about at the 31 foot level, but you gonna have more sand coming down in there on your lock, and now you gotta clean it out almost every year. But I think up there you wouldn't. I don't know if it was by design or what, but it seemed like the proportion of sand and water coming out of the Atchafalaya up there on Grand River and coming on down and coming out there above the locks where it come out the bar pit a little bit, but you don't have near the sand running through there like you do coming down Bayou Sorrel where you have to pump out every year or so, and after while you won't have no place to go. You thinking about throwing into the pits

and everything, but that's for a limited time. So it seemed to me like more consideration should have been given to building the lock above the soil there and cutting through. I realize that it would be time they spent just to lower the pipeline and everything, but I think that more studies should have been given to that. Thank you.

Corps Response:
The Bayou Sorrel community extends about 1-1/2 miles north of the Bayou Sorrel Lock. For socioeconomic reasons, no alignment that would directly affect the community of Bayou Sorrel was considered. Farther north lays extensive areas of bottomland hardwood forest and cypress swamp. In addition, the East Atchafalaya Basin Protection Levee and the navigation channel (Port Allen-to-Morgan City Alternate Route) diverge at 90-degree angles just pass the Bayou Sorrel community. Any alignment to the north of Bayou Sorrel would require dredging miles of new channel through bottomland hardwood forest and cypress swamp, causing significant adverse impacts to the environment and the area. An important principle in environmental planning is to restrict new development to existing developed corridors and avoid impacting undisturbed areas. There is an existing navigation corridor at Bayou Sorrel and a new lock can be built within this existing developed and disturbed corridor owned by the Government.

Darrel Broussard:
Thank you, Doyle. Debbie Jones?

Debbie Jones:
Hi, my name is Debbie Jones. I live towards the end of the lock from Bayou Sorrel where they're going to be crossing over the land, and I live in one of the domains that have to be removed from the property. My family is not a small family and we have a certain income by year, just like everybody else. And what it costs us to buy a second-hand mobile home with $4,800 to move it and have it welled and fixed and expenses from repairs ... (Tape runs out at this point.)

(Tape picks back up with a different, unknown speaker than when it left off.)
Kari Desselle:
... property, but yet the tugboat is what's tearing up my property from going through. I mean, what do I do? I have spent $2,000 over the last two years of having my land built up in the back of my house to watch it all wash away. It's gone now. And you're talking about sending more boat traffic through here now. What do I do at this point? You know, I'm watching my land go away. I see that everything is concentrated on land up above me, down from me, but nothing can be done around Jack Miller's because it's privately owned property? Well, the tugboats are tearing up my privately owned property. And I am tired of throwing my money away for boats to run through there and tear it up. And I hear, "Oh well, we can't slow the boats down because the water's not high enough." I mean, what do I do at this point? But that's my question, I mean, what am I to do?

Darrel Broussard:

We'd like to talk to you after the meeting, and we can see what the specific situation is with the property.

Kari Desselle:
Okay, because I mean, like I said, it's horrible. I mean, you know, the boats come flying in through there. You know, if they would slow down some... I mean, you can see it. You can walk out of my back door and watch when those boats make that turn, you can watch the land just go in the bayou. And like I said, in the last 25-whatever years it is, 35 feet of my land is gone and I just had it repaired, and that's gone also. You know, I can't get any help because I'm hearing that it's not state land, no, it's my land. And my land is being washed away. And if it keeps going as it is, there won't be a house there in another two years. I mean, even the road. I don't see how it's even safe for the road. You can see where the water is tunneling underneath the ground under the road. I mean, what is going to happen to a place that's been there for 50 years? And then you're talking about increasing boat traffic? I mean, what do I do?

Darrel Broussard:
Why don't you talk to us after the meeting?

Kari Desselle:
Okay.

Corps Response:
The objective of this study is to develop the optimal navigation plan in connection with improvements necessitated by the need to provide flood protection at Bayou Sorrel. This feasibility report has analyzed numerous alternatives and has recommended the plan that benefits the nation, the environment, and the local community. However, the authority for which this study is being conducted limits our improvements to the Bayou Sorrel Lock and the operations connected to its use. Any property around Jack Miller's Landing is outside of that authority.

Darrel Broussard:
Thank you. Thank you, Carrie. W. Carlin? Okay. Is there anyone else that would like to make any statements?

Rob Redden:
I'm Rob Redden. I'm from Bayou Sorrel. I wasn't going to say anything, but I've listened to all this now for about an hour. I live right there in the bad curve that you all know about. I've lost at least 10 foot of land in the last 25 years. I spent $10,000 trying to reclaim it, and then they brought the Corps in here and wanted me to get a permit to bring it back out to where it was, when it was my property to start with. That's one thing that I wanted to get off my mind. And then, I know that you all are a lot smarter than I am probably, but I want to say one thing to you. If you're going to make those locks 75 foot wide or whatever so they can make triple barges now tied together to go down there, where did you all figure out they're going to get through that bridge at Bayou Sorrel? You can't get two side by side through now. Are we going to take the bridge out? Or

three years from now, they're going to take the whole other side of Bayou Sorrel and dredge it out so that the bayou will be wider to accommodate three tows side by side instead of two, like they got now? And this is the problem... nobody sees anything except what's going to happen if they throw that lock down there. I mean, all these people that's millionaires wanting to make all this extra money that probably don't need the money to start with, they're not worried about the little people that live in the community that live there because it's a quaint community and it's where we want to be. We don't want these outsiders or anybody else coming in there and taking it away from us for somebody else's benefit that we don't even know. And something's gotta be considered about how they're gonna get... how am I gonna put these barges up. They're talking about they go through the locks now because they're wide enough, but the bayou isn't wide enough where the bridge is to get three tows side by side through. And so, I mean, I don't see the point unless they got future plans that we're not knowing about tonight. They could _____ that side of Bayou Sorrel with those houses over there and widen it out to where they can go all the way through with the whole tow, and I think the people here tonight should wake up to that fact. That what they're doing is not... it's not what they're going to do in 2006, but after they get this thing finished and then they realize they can't get all this tow through there after all and they still have to break them down to go through the bridge and break them down to do something else, they're gonna be _____ as far as the barge traffic tying up and tearing up people's yards and stuff like that. And like I say, I wasn't going to say anything tonight. But I'll just say this, I think somebody needs to give some more thought to what's going on at Bayou Sorrel. Not the locks; you all got that all planned. I mean, you couldn't change that for a million dollars. But you can change the ideas of what you're doing to this community. Thank you.

Corps Response:
While the channel was designed with a 125-ft width, it was never intended for barge traffic to be configured larger than 80 feet wide. 33 CFR Part 162, Chapter 75 mandates the U.S. Coast Guard to restrict tows using the Morgan City-to-Port Allen Alternate Route to be no larger than 55 feet wide by 750 feet long due to bend way constrictions in the channel. Larger tow configurations, not to exceed 80 feet wide by 1,180 feet long, are allowed with special permits. A 75-foot wide lock only allows the lockmaster to pack the chamber more efficiently if the situation calls for it.

The public meetings are your chance to add input to the study process. Based on your comments we have redesigned the approach channels and staging areas to include bank protection. The lock design will have rock protection extending 1-1/2 miles north of the existing lock and floating mooring facilities positioned to give barges a designated space for waiting. The design will incorporate a 2-ft cover of stone placed directly on the bank line extending from the top of bank to the bottom of the channel. Floating buoys will then be placed every 200-ft to prevent barges from resting on the bank protection. The rock will be placed on both banks while the buoys will only be on the west bank side.

Darrel Broussard:
Thank you. Okay.

Dorothy Holby:
I'm Dorothy Holby. I own a structure that has to be removed like they were talking about, at 33105 Bayou Sorrel Road and I have contacted a couple of Corps engineers, I talked to Beulah and I think maybe Marco because I got this structure like two years ago. I had $10,000 invested in it and I had _____ and it seems like the way they're talking to me, I'm not going to be paid anything to relocate and I don't think it's fair. What they're telling me is in view of _____ because as soon as you lease the property, you get your lease later in the mail. They're telling me the way it's looking to me is that on the lease it says you're not supposed to be on a structure on leased property. But that's done and I _____ But what I can't understand is why _____ because I didn't build this structure, I bought this structure. And I don't see no reason that I shouldn't be paid to relocate. Thank you all.
Corps Response:
The public meetings are your chance to add input to the study process. Based on your comments we researched further our opinion not to provide relocation assistance. The federal government owns perpetual easements over various tracks of land along the GIWW alternate route. While we do not own the land, we do have the legal right to use the land at our discretion. A thorough search of case law supports the original opinion. We regret the fact that we indicated at the meeting we were going to pay relocation expenses. We do not have the authority to provide monetary assistance when there is no prevailing circumstance that would trigger Title II of the Uniform Relocation Assistance Act.

Darrel Broussard:
Thank you. One more? You can go next after this.

Dave Deloch:
Excuse me. My name is Dave Deloch and I own Delaware Marine in Port Allen, and I'd like to respond to some of the questions that have been raised here tonight or points that have been made about size of tows and the size of the lock. One of the... and you all are not gonna believe me when I tell you this, but the size of the tows, and I've been riding boats since about 1970, and the size of the tow has only increased by one barge since I've been riding boats since 1970, and I have to assume that back since 1956 when they built the Port Allen Lock structure and opened navigation into Baton Rouge, that those tows were probably about the same size as they were in 1970. And what's happened is that the canal was designed for a 1,180-foot long tow. All of the locks were built over 56 feet wide, which is what Bayou Sorrel is. They were constructed either, I think it's 85 feet at Port Allen Lock, but the standard petroleum tow was a 50 or a 54 foot wide string of barges, the larger ones were 1180 feet long, the smaller ones were 300, 400, 500, 600 feet. They were 1180-foot long tows going through the Bayou Sorrel area in 1970 because I rode one and later piloted one. So I know for a fact that those barges were going through there. The smaller cargo barges, which we used to push strung out, we would push five-long, which would equate to about 1000 feet of barges. But they were only 35 feet wide. Back in the early 1980's there was a push to increase the number of barges that we could move along the Intracoastal Canal up to 10, which would be two

barge-widths wide. The industry came up and put a self-imposed restriction on the number of barges that we could push because we decided that 10 barges were too many; two-wide 30-foot 5-long barges would be 70 foot wide, 1000 feet long and that was too much tonnage and it was too long. And we got with the Coast Guard and there are actually rules now in the code of federal regulations that restrict the size of your tow to six barges, which would only be three-long and two-wide. And the way we came up with that was that if you took a 1,000 foot tow and put it into two pieces side by side, the maximum length of that tow could be with 600 feet. Well obviously that was a five-barge tow and we'd have a notch left in there, so logically we would fill that notch in to make a square tow which would be a better navigating tow. So actually, since I've been riding boats since 1970, we've only increased the size of those tows by one barge. The Bayou Sorrel Lock, which was built in 1951, was built for 56 feet. All the other locks in the system all up and down the Mississippi River, the Ohio River, upper Mississippi, all the tributaries of the Intracoastal Canal could handle barges of at least 70 feet wide, or two barges wide. So the Bayou Sorrel Lock was a fluke from the get-go. All the other locks were built to handle two barges wide. So the 70-foot width or the 110-foot width that they're looking at is not to accommodate three barges wide. You're right. You can't go through Bayou Sorrel Bridge with three barges. I guess so.

Darrel Broussard:
Let's just... if we can keep it orderly, I'm going to have him, and then we'll go to the next one.

Dave Deloch:
I don't have any intent to go out and push three barges wide. The rest of the Intracoastal Canal system won't allow three barges wide, I can assure you that. There are places because of siltation that we have problems meeting two barges wide and as with the rest of the coast of Louisiana, the Intracoastal Waterway has got wave action in it and there are siltation problems. So that I think may clear up some of the size of the tow problems. As I had told your parish president after he initially spoke, there is a trust fund that we've been paying into for about 25 years and we'd pay roughly 25 cents of tax on every gallon of fuel that we use. The towboat operators are not the ones that decide where that money is spent. There is a board, and now every marine industry has a couple of representatives. How many representatives are on that board, do you know offhand? From the towing business? Okay. But the board consists of other people—shipper, grain people, all sorts of transportation people and government people—and that fund is supposed to be used to build new projects all through the waterway system. So yes there is a fund. The problem is using it for something specific like what you'd like to see used here. And I'm not... I have no idea what the process about going and getting that money is, but it's not because the towboat operators don't want to go over there and help you guys somewhere, it's just that that's not necessarily what we can do with that money. We don't have that control. And I can't remember any of the other comments that were made. I'm being told to shut up, so I'll get out of your hair. Thank you.

Corps Response:
Thank you for your comments.

Darrel Broussard:
Thank you, Dave. I saw two other hands of folks who wanted to make comments.

Annie Voisin:
I'm Annie Voisin from Bayou Sorrel, and I'm been down there many years. And here lately, maybe three or four years ago, there was a boat came through. Our church is Bayou Sorrel Baptist Church. We had put up a bulkhead to kind of preserve our land. Well there was a barge that ran up over that, tore it up, but nothing was done. Not a thing. The boats were contacted. We've never heard anything else. So that's one thing. We've lost I don't know how much land and that'll never come back. So how can you say, "That was only one barge that did this?" You put two or three barges going through there, whatcha gonna have? You gonna have more than that. Now if there would have been a house out there or some children out there, they would have all been hit. What we gonna do about that? Now I live up in between Jack Miller's and Sorrel. They put a new town through there. Alright? Then it opens up at _____ Shipyard. Well, our land is leaving because there is a suction that comes through. The boats coming from this way, the boats coming from this way and it's doing this. They're washing all the land out. It's all going into the river. You can almost walk across in some places. When I was there, tugboats were going through there. Now, the roads... the filtering or whatever you want to call it, will wash away. It's coming up to the roads. Then what's gonna happen to us? What's gonna happen to those who are up in that area? It's already washed up from Jack Miller's up. What's gonna happen in between there? All this land is effecting everybody. But the church and our land down in there where we live, you put more boats, that's more suction, so more land's gonna be lost. First thing you know, you're not gonna have any home. So what are they gonna do about it? Now look, I come from a tugboat family. All my family members were tugboat captains. But still, it's not right for the tugboats to do this. They can take our land and then they want to come through and do more, but they don't want to give us nothing for it. So what's gonna happen? That's all I had to say.

Corps Response:
The objective of this study is to develop the optimal navigation plan in connection with improvements necessitated by the need to provide flood protection at Bayou Sorrel. This feasibility report has analyzed numerous alternatives and has recommended the plan that benefits the nation, the environment, and the local community. However, the authority for which this study is being conducted limits our improvements to the Bayou Sorrel Lock and the operations connected to its use. Any property around Jack Miller's Landing is outside of that authority.

Darrel Broussard:
Thank you.

Ronnie Hebert:
Most of you all don't know me. My name is Ronnie Hebert. I'm _____ parish president. I was in the boat with you all and the parish president. They are well aware of the

damages that we're receiving. _____ right behind her house, it's atrocious. It's atrocious. _____ She's got to be careful how she walks out her back door or she will get wet. It's a shame. It is a shame. _____ tugboat companies? Not one of them, not one of them said anything about protecting me. Their only concern is getting their tow through the locks to make a dollar bill. If I lose $100, you think they care? No, they don't care about me. They could care less about me, you, you, or anybody else in this audience. It's all about the mighty dollar. Well, I got one thing to say. Can you say class action lawsuit? If we get together, we can _____ All we ask is what's fair. If you take my property, you replace it. The man sitting right back over there put a bulkhead up. The real things he had to go through to get it done. He didn't want to protect his property, he tried to protect his neighbor's property, where the _____ you need this permit, he got that permit. No, you're gonna need this permit. Where does it stop? When are you all gonna do something for the people in Bayou Sorrel? And that's the last thing, the only thing I gotta say.

Corps Response:
The public meetings are your chance to add input to the study process. Based on your comments we have redesigned the approach channels and staging areas to include bank protection. The lock design will have rock protection extending 1-1/2 miles north of the existing lock and floating mooring facilities positioned to give barges a designated space for waiting. The design will incorporate a 2-ft cover of stone placed directly on the bank line extending from the top of bank to the bottom of the channel. Floating buoys will then be placed every 200-ft to prevent barges from resting on the bank protection. The rock will be placed on both banks while the buoys will only be on the west bank side.

Darrel Broussard:
Thank you, Ronnie. Okay, I'm going to turn the meeting back over to Falcolm now.

Falcolm Hull:
We appreciate all of the comments that we've received tonight. We are listening to your comments. We will address those comments. We will try to accommodate some of your concerns as part of this project. The team that I introduced to you earlier, they will be putting their heads together to see how they can address some of your concerns as part of this project. We certainly thank you for all the comments that you've given here tonight. We thank Mitch and the councilman for making these facilities available to us, and I remind you that you still have another 30 days to provide us comments, your concerns about the things that we're proposing to do. Now, let me tell you this. This project is not going to be built in spite of; I heard some of you say that earlier on. But that is not true. This project is not going to be built in spite of. That's one of the reasons we do have public meetings. That's one of the reasons you have a lot to say so about what we do as the federal government. So I don't want you to feel like you don't have anyone listening to you, or you don't have any recourse. We've been working very closely with Mitch. I think Mitch can tell you that we have tried to use a number of our programs to accommodate some of the erosions problems in the parish. And we will continue to do that. We will continue to work with Mitch and the parish with some of our other programs to try to solve some of the erosions problems. I think you can attest to that.

But again, we thank you for being here tonight. Again, our people are here to discuss the project with you further. We thank you for coming. Thank you. The meeting is concluded.

Bayou Sorrel Lock, Louisiana
Feasibility Report

Written Comments and Responses

1. State of Louisiana, Department of Transportation and Development, Edmond J. Preau, Jr., P.E., Assistant Secretary Public Works & Intermodal Transportation, dated March 27, 2003.

2. United States Department of Interior, Office of the Secretary, Glen B. Sekavec, Regional Environmental Officer, dated December 24, 2002.

3. State of Louisiana, Department of Environmental Quality, Jim Delahoussaye, Environmental Scientist Manager, Permits Division, dated November 14, 2002.

4. State of Louisiana, Department of Environmental Quality, Lisa L. Miller, Contracts & Grants, dated December 11, 2002.

5. United States Environmental Protection Agency, Region 6, Robert D. Lawrence, Chief Office of Planning and Coordination, dated December 19, 2002.

6. The American Waterways Operators, Ken Wells, Vice President – Southern Region, dated December 20, 2002.

7. Gulf Intracoastal Canal Association (GICA), Raymond Butler, Executive Director, dated February 10, 2003.

8. Capt. David Whitehurst, dated February 24, 2003.

9. Charles E. Schwing, dated February 26, 2003.

10. Randall Thigpen, dated December 20, 2002.

STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
P. O. Box 94245
Baton Rouge, Louisiana 70804-9245

M. J. "MIKE" FOSTER, JR
GOVERNOR

KAM K. MOVASSAGHI
SECRETARY

03 3/31/03

March 27, 2003

Mr. Darrell Broussard, Project Manager
Planning Program and Project Management Division
U.S. Army Corps of Engineers
New Orleans District
Post Office Box 60267
New Orleans, Louisiana 70160

Re: Bayou Sorrel Lock Feasibility Study

Dear Mr. Broussard:

The Department of Transportation and Development is the state agency with responsibilities for all modes of transportation in Louisiana. The Department is striving to get the congestion off of our highways. The inland waterway system is one answer with the relatively new concept of container-on-barge. Container-on-barge is being promoted throughout the inland system. As such, we would like to comment on the Bayou Sorrel Lock Replacement Feasibility Study.

This lock is an impediment to progress. It is the narrowest lock in the system and needs enlarging as soon as possible. The recommended 75 foot by 1,200 foot lock is acceptable. We, however, are concerned with the persistent bank erosion along the Alternate Route of the Gulf Intracoastal Waterway. It is unacceptable. The families living along the waterway have lost valuable land caused by wave wash of barge traffic. The final plan must include bank stabilization.

The inland waterways system is vital to our and the nation's economy. We must modernize and maintain it.

Sincerely,

Edmond J. Preau, Jr., P.E.
Assistant Secretary
Public Works & Intermodal Transportation

Concur. The new lock design has rock protection extending 1-1/2 miles north of the lock and floating mooring facilities positioned to give barges a designated space for waiting. The design will incorporate a 2-ft cover of stone placed directly on the bank line extending from the top of bank to the bottom of the channel. Floating buoys will then placed every 200-ft to prevent barges from resting on the bank protection. The rock will be placed on both banks while the buoys will only be on the west bank side.

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Post Office Box 649
Albuquerque, New Mexico 87103

IN REPLY REFER TO:

December 24, 2002

ER 02/1041

Mr. Richard Boe
U.S. Army Corps of Engineers
Planning, Programs, and Project Management Division
Environmental Planning and Compliance Branch, CEMVN-PN-RP
PO Box 60267
New Orleans, LA 70160-0267

Dear Mr. Boe:

The U.S. Department of the Interior (DOI) has reviewed the Draft Environmental Impact Statement (DEIS) and Draft Feasibility Report for Bayou Sorrel Lock Replacement, Iberville Parish, Louisiana. In this regard, the following comments are provided for your consideration as you develop the final documents.

General Comments

We find the DEIS and Draft Feasibility Report are well-written and provide an adequate description of the proposed alternatives and their impacts. Our review of the DEIS' seven appendices was limited to Volume 3, Appendix B: Environmental Design and Real Estate Plan and Volume 4, Appendix C: Engineering Design. The U.S. Fish and Wildlife Service (FWS) provided an August 2002 draft Fish and Wildlife Coordination Act Report for the proposed project: the recommendations in that report have been adequately addressed in the subject documents. We suggest, however, that the final documents be revised to address the following specific comments:

Specific Comments

Feasibility Report, Section 3, Plan Formulation, b. Plan Formulation Constraints, Page 42, paragraph 3, second sentence - This sentence states that elimination of a southern lock location alternative was due solely to environmental reasons. On page 10 of the DEIS, in paragraph 4.1.1.1, however, the alignment of the connecting channel and the location of State Highway 75 are also listed as potential construction constraints that led to the elimination of that alternative.

Concur.

Concur. The main report has been revised.

We recommend those potential construction constraints also be discussed within the final Feasibility Report.

DEIS, Section 5.2.18.1.25.5.1, Aquatic Habitats, Affected Environment, Fishery Resources, Page EIS-44, fifth paragraph, fourth sentence - We do not necessarily agree that there are no contaminants of concern in the areas sampled. The detection limits used in the sample analyses often exceeded the chronic effects criteria, and sometimes exceeded the acute effects criteria. Thus, the relatively high detection limits in the analyses may have precluded accurate assessment of the potential for releasing contaminants during construction. Contaminants known to have increased in elutriate samples included B-BHC, dibutylphthalate, and butylbenzlphthalate; those compounds may have come from the documented leakage that occurred at the Bayou Sorrel Superfund Site (i.e., a former chemical waste dump located upstream of the lock) prior to remediation of that site. We therefore recommend the Corps conduct additional analyses of samples using lower detection limits, or revise statements in the final EIS and appendices to clarify that detection limits were above acute and/or chronic effects levels.

Concur. The EIS has been revised to state that some detection limits were above applicable criteria levels.

Because contaminants could potentially be released during construction, we recommend the following precautions be implemented to minimize contaminant exposure to fish and wildlife resources: 1) all applicable State non-point source regulations pertaining to construction sites should be followed; 2) the Corps of Engineers (Corps) should sequence construction activities so that removal of the top 5 feet of material from open-water areas or wetlands in the tailbay, forebay, and lock chamber areas will occur first, and to preclude placement of such material in the top layers disposal site(s); 3) silt curtains should be used when dredging material from open-water areas or wetlands; and 4) the Corps should implement all practicable measures (e.g., internal dikes, etc.) to ensure maximum retention of contaminants within the dredged material disposal areas. The above precautions should be incorporated as project features of Plan 2.

Concur. The recommended precautions have been adopted and are included as environmental commitments in the final EIS.

EIS, Section 5.2.19.4, Threatened and Endangered Species, Plan 2, Page EIS-47, third paragraph, fourth sentence - The FWS concurs that the project, as planned, is not likely to adversely affect the *threatened Louisiana black bear, the threatened bald eagle, or the endangered pallid sturgeon.* Concurrence is based on: 1) the distance from the project area to the nearest bald eagle nest is sufficient to prevent disturbance during the nesting season; 2) the project area is currently not occupied by Louisiana black bears; and 3) the fact that, although prey availability would be reduced due to yearly maintenance dredging of the channel bottom, there are abundant similar or better quality aquatic habitats available to the pallid sturgeon outside of the project area. No further consultation will be required for this project unless there are changes in the scope or location of the work, or construction has not been initiated within one year. If the work has not been initiated within one year, or when the plans and specifications or design memoranda are developed, follow-up consultation with the FWS Field Office, Lafayette, LA, should be accomplished prior to making expenditures for construction.

Concur. We will consult with the USFWS during development of the plans and specification phase.

No Native American trust issues, or impacts on tribal lands for the four tribes of Louisiana have been identified. No trust resources of Louisiana's Federal or State-recognized tribes are known to occur within the project impact area. While the Chitimacha Tribe is located downstream of

Concur.

the project and within the same watershed, it is in different tributaries, with lakes and other tributaries separating the Tribe from Bayou Sorrel.

Thank you for the opportunity to provide comments on the proposed project. We trust the above comments will be of assistance during development of the final document.

Sincerely,

for Glenn B. Sekavec
Regional Environmental Officer

State of Louisiana

Department of Environmental Quality

M. J. "MIKE" FOSTER, JR.
GOVERNOR

NOV 14 2002

L. HALL BOBLINGER
SECRETARY

Mr. Richard Boe
U.S. Army Corps of Engineers
Planning, Programs, and Project Management Division
Environmental Planning and Compliance Branch
CEMVN-PM-RP
P. O. Box 60267
New Orleans, LA 70160-0267

RE: Project No. DEQ0311120093: proposed Replacement of Bayou Sorrel Lock; Department of the Army; Bayou Sorrel Lock; Iberville Parish

Dear Mr. Boe:

The Department of Environmental Quality (DEQ), Office of Environmental Services (OES), has received your request for comments dated November 5, 2002, regarding the above referenced project. Based on an in-house review of the information you have submitted to this Department, the OES has no objection to the implementation of the proposed project, provided that the issues listed below are satisfied if required. Please note that no field investigation was conducted on this project.

Please note that any project that results in a discharge to waters of the state may require submittal of a Louisiana Pollutant Discharge Elimination System permit application.

This Office recommends that you investigate the following requirements that may impact your proposed project:

1. if any of the proposed work is located in wetlands or other areas subject to the jurisdiction of the U.S. Army Corps of Engineers, you should contact the Corps in order to apply for any necessary permits;
2. if a permit is required from the Corps, a Water Quality Certification from OES may also be required;
3. all precautions should be observed to protect the groundwater of the region (SEE ATTACHMENT);
4. all precautions should be observed to control nonpoint source pollution from construction activities (SEE ATTACHMENT); and
5. the Department of Environmental Quality (DEQ), has a stormwater general permit for construction areas equal to or greater than five acres. It is recommended that you

Concur.

contact Jan Cedars at (225) 765-2784 to determine if your proposed improvements are covered under that general permit.

If you have any questions, please contact the Contracts and Grants Section at (225) 765-0723.

Sincerely,

Jim Delahoussaye
Environmental Scientist Manager
Permits Division

JD\ar
Attachment

c:

Capital Regional Office
Surveillance Division

State of Louisiana

Department of Environmental Quality

M. J. "MIKE" FOSTER, JR.
GOVERNOR

L. HALL BOHLINGER
SECRETARY

December 11, 2002

Mr. Richard Boe
U.S. Army Corps of Engineers
Planning, Programs, & Project Mngmt. Div.
Environmental Planning & Compliance Branch
CEMVN-PM-RP
P. O. Box 60267
New Orleans, LA 70160-0267

RE: DEQ0311120093; Iberville Parish
Proposed Replacement of Bayou Sorrel Lock

Dear Mr. Boe:

The Department of Environmental Quality, Office of Environmental Assessment and Office of Environmental Services has received your request for comments on the above referenced project.

There were no objections based on the limited information submitted to us. However, the following comments have been included and/or attached. Should you encounter a problem during the implementation of this project, please make the appropriate notification to this Department.

The Office of Environmental Services has made the following comments:

Please see the letter from the Office of Environmental Services, Permits Division.

"Any approval, or letter of no objection, granted by LDEQ is relevant only to the granting of funds for the proposed project. This does not relieve the applicant of his responsibility for obtaining any other permits or approvals necessary from LDEQ or other State, Local, or Federal agencies, nor does it influence the Department's ultimate decision on those permits or approvals. A copy of our brochure on construction best management practices is enclosed."

Concur.

Currently, Iberville Parish is classified as nonattainment with the National Ambient Air Quality Standards.

Please forward all future requests to the following address and we will expedite it as quickly as possible. When submitting large proposals please provide triplicate copies.

Mrs. Lisa Miller
Department of Environmental Quality
P. O. Box 82231
Baton Rouge, LA 70884-2231

Should you need any additional information please call me at (225) 765-0723. **If you should have any question concerning the attached letter from the Office of Environmental Services please contact Mr. Jim Delahoussaye at 225/765-0507.**

Sincerely,

Lisa L. Miller
Contracts & Grants

llm:vhn
Enclosure

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

DB
9/11/03

DEC 19 2002

Colonel Peter J. Rowan
Commander, New Orleans District
U.S. Army Corps of Engineers
P.O. Box 60267
New Orleans, LA 70160-0267

Dear Colonel Rowan:

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality's (CEQ) Regulations for Implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 Office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (EIS) for the Bayou Sorrel Lock Replacement Project, in Iberville, Parish, Louisiana.

EPA has rated the Draft EIS as **LO, Lack of Objections**. Our classification will be published in the Federal Register according to EPA's responsibility under Section 309 of the CAA, to inform the public of our views on proposed Federal actions.

The Draft EIS is clear, concise, and fairly thorough. Clarification or additional information on certain items or effects, however, would help to strengthen the Final EIS and the enclosed comments more clearly identify these areas. Please send our office five copies of the Final EIS when it is sent to EPA, Office of Federal Activities, EIS Filing Section, South Ariel Rios Building (Room 7220), 1200 Pennsylvania Ave. N.W., Washington, D.C. 20004. If you have any questions, please contact Joe Swick, of my staff, at (214) 665-7456.

Sincerely yours,

Robert D. Lawrence, Chief
Office of Planning and
Coordination (6EN-XP)

Enclosure

Concur. See responses to additional information.

BAYOU SORREL LOCK REPLACEMENT PROJECT DRAFT EIS

General Comments:

1. Pollution prevention can be an effective way to mitigate adverse impacts under NEPA [40 CFR 1502.14(f), 1502.16(h) and 1508.20]. The proposed project provides an opportunity to integrate pollution prevention measures into both construction activities and the decision-making process. Pollution prevention can include: recycling, including using recycled materials in project construction and operation; increasing efficiency and conservation of energy and water resources; and reducing or eliminating contributions to point or non-point (e.g., runoff) source pollution. Pollution prevention includes techniques such as waste stream segregation, 'good housekeeping' or best management practices, and employee training. The Record of Decision (ROD), documenting the final decision, can be a valuable tool to inform the public and others how pollution prevention was not only included in the NEPA process, but also how it will be implemented.

Executive Order (EO) 12856: Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements - includes commitments that the Federal government "should become a leader in the field of pollution prevention through the management of its facilities, its acquisition practices, and in supporting the development of innovative pollution prevention programs and technologies."

EO 12873: Federal Acquisition, Recycling, and Waste Prevention - directs the Federal government to more efficiently use natural resources by maximizing recycling and preventing waste whenever possible, and "serve as a model in this regard for private and other public institutions."

2. The degree and extent of adverse impacts on water quality can be a direct function of construction practices and the use of 'best management practices' at construction sites. To help reduce or mitigate adverse impacts at construction sites of five acres or larger, the Final EIS should include the applicability of EPA's National Pollutant Discharge Elimination System (NPDES) storm water general permit. For example, in paragraph 5.2.18, on aquatic habitats, including impacts on water quality. For additional information on EPA's NPDES storm water general permit see: www.epa.gov/earth1r6/sws.

3. Recognizing the Draft EIS concluded the proposed project or action would not significantly change the existing condition or result in significant impact; it would be helpful to also clarify the extent or degree of project-related effects that are less than significant, since the Final EIS would be strengthened by this additional clarification of construction and operation impacts, including short-term vs. long-term, as defined.

Response 1: Pollution prevention measures will be integrated into the plans and specifications during the construction phase of the project.

Response 2: We have added text to Section 5.2.17. (previously 5.2.18), indicating that an NPDES permit will be obtained from the Louisiana Department of Environmental Quality during the development of construction plans and specifications.

Response 3: We have specifically stated for some of the significant resources, like Property Values and Land Use, that the project would not significantly affect these resources. However, we did not state in the DEIS that the lock replacement project would not result in significant impacts. Some of the impacts, like the construction impacts to Forested Areas, are considered significant. That is one reason why a substantial mitigation plan has been developed for the proposed action.

Specific Comments:

1. Page EIS-10, paragraph 4.1.1.4.: It is suggested the last sentence also mention that the variations in the alignment of the proposed project are evaluated in the Final EIS, in addition to the referenced descriptions in the Main Report and Appendix C.

2. Soils: The Final EIS would be strengthened by additional clarification of the impacts on soils (other than prime farmlands) resulting from the proposed project. For example, on page EIS-10, the Draft EIS noted that considerable engineering controls have been incorporated into the plan to account for poor soil conditions (e.g., local soil compaction and subsidence) in order to develop a safe, cost-effective alignment. Also, on page EIS-16, paragraph 4.3.4.6. included the large quantities of soils (in millions of cubic yards) that will be affected by the project, both directly and indirectly.

3. No Action: Table 3, on page EIS-19, presented a summary comparison of impacts on significant resources, which included no action, plan 1, and plans 2A through 2F. The Final EIS would be strengthened by also including no action in table 2, on the economic comparison of alternatives. For example, page EIS-13 noted that in the absence of a new lock, the existing lock and waterway would continue operating. This operation would appear to include not only annual maintenance costs and new disposal areas, but also the costs of temporary emergency efforts to prevent the overtopping of the existing lock if a project flood would occur.

4. Page EIS-17, paragraph 4.3.6.: It is suggested that the phrase "and would not cause unacceptable environmental benefits" be omitted from the last sentence, since the focus of this paragraph was net economic benefits, and paragraph 4.3.8. (on page EIS-18) noted it is not reasonable to designate any one plan as being more environmentally preferred over another.

5. Page EIS-18, paragraph 4.3.8.: It is unclear if the last sentence referred to plan 2C, or if "plan 2" actually referred to all plans 2A through 2F. In paragraph 4.4., it is suggested changing the second sentence to read, "Plans 2A through 2F affect essentially the same location or area, so they are grouped together," which leaves the option open to consider, and recognize, an impact distinctive to one (or more) of the listed alternatives.

6. Environmental Justice (EJ): EO 12898 directs, as noted on page EIS-3, Federal agencies to evaluate the impacts of their actions on minority and low-income communities. In paragraph 5.2.1.1., significant resources included those mandated by Federal law, which includes EOs. Given the legislative mandate and acknowledgement in the Draft EIS (on page EIS-4) of an affected small minority population for which the income levels and ethnic backgrounds have not been determined, the Final EIS would be strengthened by: a) including EJ in tables 4 and 5; and b) providing clarification of

Response 1: We have complied with this comment.

Response 2: We have added affects to soils to Section 5.2.17.4.1.

Response 3: Adding the cost of operating and maintaining the existing lock to Table 2 of the EIS is not appropriate. There is simply no column in Table 2 to insert the operation and maintenance cost for the existing lock, which is $1,500,000. The dredging of the GIWW in the vicinity of the lock is not included in the lock operation and maintenance, but rather in the operation and maintenance of the GIWW. There has not been a cost developed for emergency efforts to prevent overtopping of the existing lock during a project flood. It is assumed that, if a new lock were not constructed, a floodgate would be built. That is why, for economics purposes, the net benefits and B/C ratios for the lock alternatives are based on the cost above the cost of a floodgate.

Response 4: We have complied with this comment. (Note: Section 4.3.6. of the draft report is now Section 4.3.7.)

Response 5: We have complied with this comment. (Note: Section 4.3.8. of the draft report is now Section 4.3.9.)

Response 6: We have not included environmental justice as a significant resource in Tables since we believe that it is sufficiently covered in Section 1.1.9. We have added narrative to Section 1.1.9 to indicate that there are no disproportionate adverse impacts to low income and/or minority populations as a result of the proposed project.

whether or not low income and/or minority populations would experience adverse disproportionate impacts as a result of the proposed project.

7. Page EIS-20, paragraph 5.2.1.2.: If, as a matter of comity, the National Marine Fisheries Service (NMFS) was also advised of the project and their comments solicited as a part of the review process on the Draft EIS, the Final EIS would be strengthened by including documentation of either: a) its no effect determination; or b) its concurrence that the proposed project will not adversely impact Essential Fish Habitat or Federally-managed species.

8. Waterborne Transportation: The Final EIS would be strengthened by clarifying the impacts referenced in paragraph 5.2.2.4., and including a cross-reference to the pages in the Main Report and Appendix A, for additional information.

9. Business and Industrial Activity: It would be helpful in the Final EIS to clarify the impacts associated with no action and plan 1 (i.e., whether "very little" change under no action is the same as "would affect" under plan 1).

10. Employment: Given the unemployment rate of Iberville Parish which, as noted in the Draft EIS on page EIS-25, was higher than the state average, the Final EIS would be strengthened by addressing the employment opportunities, if any, associated with the project construction and operation periods.

11. Property Values, paragraph 5.2.7.3.: It would be helpful in the Final EIS to clarify, after the five residential structures are removed for any replacement of the lock to be constructed, if there are any other properties (e.g., to the north of the lock) potentially negatively affected by the project (i.e., from increased navigation; noise; aesthetics; and bank erosion caused by vessel wakes, prop wash from tows, and physical damage to the banks by tows waiting for entry to the lock).

12. Community Facilities and Services, paragraph 5.2.8.3.: The Final EIS would be strengthened by addressing the potential for negative effects from the increased vessel traffic and larger tows as a result of the new lock that would increase the frequency of barge tows hitting the vehicular bridge at Bayou Sorrel and putting it out of service, as noted in paragraph 1.3 on page EIS-5 of the Draft EIS.

13. Tax Revenues, paragraph 5.2.9.3.: The Final EIS would by strengthened by clarifying whether or not the project would have any direct effect (e.g., from costs of equipment or structures) or indirect effect (e.g., from salaries or employment) on the tax base of Iberville Parish over the next 50 years.

14. Population, paragraph 5.2.10.2.: It is suggested that the phrase "particularly since no significant change in property values is expected" be omitted, or additional

Response 7: A reference to correspondence from the NMFS is now included in Section 5.2.1.2., and a copy of the correspondence is in the Public Views and Responses Appendix.

Response 8: We have included additional information in Section 5.2.2., to clarify impacts.

Response 9: The draft EIS contained an error. The text should have read, "would not affect". This has been corrected.

Response 10: We have complied with this comment.

Response 11: We have complied with this comment.

Response 12: A reference has been added to refer to Section 5.2.12. where impacts to the Bayou Sorrel Bridge are discussed.

Response 13: We have complied with this comment.

Response 14: We have complied with this comment.

explanation provided to clarify the relationship between property values and population change. It would also be helpful to clarify whether or not the project-related employment opportunities, if any, could have an effect on population (temporary or permanent).

15. Community and Regional Growth, paragraph 5.2.11.: It may be beneficial to combine this paragraph/discussion with the one on population (paragraph 5.2.10.) in the Final EIS.

16. Transportation: As noted on pages EIS-8 and EIS-29 of the Draft EIS, local residents had voiced concern regarding increased navigation impacting the only bridge leading to their homes and businesses and it being rendered out of service from damage by a passing vessel. The Final EIS would be strengthened by clarifying the nature and extent of this potential impact, including the loss of time during the interim period when the public must cope by using dirt or gravel roads and associated detours which would not provide the same traffic flow and time savings as the two-lane, pontoon (floating) bridge over the Gulf Intercoastal Waterway.

17. Housing: As noted on page EIS-30, the project would require the removal of five houses; however, it is unclear if this effect constitutes an adverse or a beneficial impact.

18. Community Cohesion: It is suggested that for the residents of the five structures that would be removed due to the proposed project, there may be not only a direct affect, but also what constitutes a major adverse impact, on their cohesion to neighborhood associations and/or the local, close-knit community. The Final EIS would be strengthened by also evaluating the potential social changes and quality of life impacts to the affected individuals and families who would be relocated, however modest these single family residences appear to be.

19. Noise: It would strengthen the Final EIS to clarify the nature and extent of potential noise impacts to those residences located 700-800 feet from the project during lock construction, as noted in the next to the last paragraph, on page EIS-31. For example, including the length of the construction periods (e.g., three years) and noise levels (in decibels) would help assess the magnitude of noise impacts at these locations and allow affected residents to better approximate their degree of noise disturbance. It would also be very helpful to include a noise contour map, or similar representation, in the Final EIS to help visualize or demonstrate the extent of anticipated noise level increases at or near to affected receptors located within the three-mile study area.

20. Air Quality: It would be helpful in the Final EIS to include: a) that the vehicles and equipment used in conjunction with the project will comply with 40 CFR Part 85, on the control of air pollution from motor vehicles and motor vehicle engines; and b) that construction and operation activities associated with the proposed project

Response 15: We have complied with this comment.

Response 16: We have modified the Transportation Section based on the comment.

Response 17: We have added text to clarify the impact.

Response 18: We have added text to Sections 5.2.12.4 and 5.2.13.4 to clarify the impacts.

Response 19: Due to the distance between the lock construction site and the nearest residences, we believe that additional noise impact analysis is not warranted.

Response 20: We do not believe it is necessary to make such commitments during this feasibility-level of planning. Such restrictions on contractors are normally developed and included in the plans and specifications used for public bid on the construction of the project. A reference has been added concerning coordination with the LDEQ.

will follow the label instructions for proper transportation, storage, use and disposal of any hazardous materials.

It is also recommended that the Final EIS indicate that it was provided to the LDEQ for review and comment in order to coordinate the proposed project with the most recent status of the State Implementation Plan for ozone under the National Ambient Air Quality Standards.

21. Bottomwood Hardwoods and Cypress Swamps: It is suggested that certain details included in paragraph 5.2.17.2. (e.g., some smaller tracts of higher ground along Highway 75 will likely be cleared over time and developed for residential use, pasture, or crawfish ponds) may also be applicable to the no action alternative under land use (paragraph 5.2.6.2.).

It would strengthen the Final EIS to include a separate mitigation discussion (similar to paragraph 5.2.17.4.2.) for aquatic habitats. For example, it is unclear if the plan that "can be" implemented to mitigate the loss of wetland function to improve water quality in the swamp (i.e., ditches and silt trap) should be a part of this discussion. It is also suggested that additional clarification be provided in the impact analysis portion of the Final EIS regarding which mitigation recommendations of the U.S. Fish and Wildlife Service (FWS), on pages 104-105 of the Main Report and paragraph 6.5. of the Draft EIS, were included in the measures to be implemented to reduce adverse impacts from the loss of aquatic habitat functions.

22. Threatened and Endangered Species: Since consultation was in progress, as noted on page EIS-57 of the Draft EIS, the Final EIS would be strengthened by including a copy of the FWS correspondence with either: a) a determination of no affect; b) concurrence from the U.S. Fish and Wildlife Service (FWS) that the Federal action or project is likely not to adversely affect Federally-listed species; or c) initiation of formal consultation with the FWS or the biological opinion of the FWS regarding the Federally-listed species.

23. Cultural Resources: As noted on page EIS-51, cultural resource activities, including mitigation of adverse affects on properties determined to be eligible for listing on the National Register of Historic Places, could continue beyond the NEPA process. The Final EIS would be strengthened by including the Memorandum of Agreement (MOA), developed with the State Historic Preservation Officer (SHPO) and executed (as a signatory) by the Advisory Council on Historic Preservation (ACHP), to document compliance of the undertaking with Section 106 of the National Historic Preservation Act. The MOA could also document any completed consultation with Tribes (e.g., on potential Native American issues) as potential interested and/or concurring parties.

Response 21: We have added text to 5.2.6.2. as suggested. We have added a separate section on aquatic habitat mitigation as suggested. We do not believe it is necessary to repeat our commitment to the U.S. Fish and Wildlife Service's recommendations elsewhere in the IES or main report.

Response 22: The references statement on page 57 of the DEIS was in error. Endangered species consultation was complete at the time. This was reflected in Section 5.2.19 (now 5.2.18). We have subsequently consulted with the U.S. Fish and Wildlife Service concerning the effects of the bank protection that has been added to the recommended plan. The Service has agreed the bank protection is not likely to adversely impact threatened or endangered species. This is also documented in Section 5.2.18.

Response 23: We have received a letter from the Louisiana State Historic Preservation Officer, concurring with our recommendation to document the Bayou Sorrel lock to the standards of the standards of the Historic American Engineering Record. We have revised the text to reflect this and have included a copy of the SHPO letter in the Public Views and Responses appendix. We do not develop the memorandum of agreement to document compliance with Section 106 of the National Historic Preservation Act until after the feasibility phase of the project is completed.

24. Cumulative Effects, paragraph 5.3.1.9.: As noted in general comment no. 3 (above), even though erosion is not considered a significant problem, it would be helpful to clarify whether or not the cumulative effects of the increased volume of vessel traffic through the new project would constitute, over the long-term, continued adverse impacts from erosion in the three recognized problem areas and/or additional bank areas.

Response 24: Additional text has been added to Section 5.3.1.9.

CHITIMACHA
TRIBE OF LOUISIANA

CULTURAL DEPARTMENT

September 23, 2003

Robert J. Martinson
Planning, Programs, and Project Management Division
Department of the Army
New Orleans District, Corps of Engineers.
P.O. Box 60267
New Orleans, LA 70160-0267

Re: Bayou Sorrel
Lock Replacement, Mooring Buoys, &
Bank Stabilization
Iberville Parish, Louisiana

Dear Mr. Martinson:

We are in receipt of your letter. dated June 28, 2003, concerning the above-referenced project. The parish where the proposed project is to take place is part of the aboriginal Chitimacha homeland. That is, historically and prehistorically the Chitimacha Tribe of Louisiana was located in this area. This homeland contains many village sites, religious/sacred sites, and burial sites, which must be taken into account in the planning process.

Our records and oral traditions do not indicate that a specific archaeological site or Traditional Cultural Property is in the immediate vicinity of your project, therefore we have no objection to the implementation of the proposed activity. However, if archaeological remains representing a village site and/or burial site are discovered during the process of construction you should stop and contact the tribe and the State Historic Preservation Office immediately, in order to begin consultation regarding the encountered remains.

The Chitimacha Tribe of Louisiana appreciates your compliance with federal and state laws concerning Native American notification and consultation. Should you have any questions, do not hesitate to contact me at (337) 923-9923.

Sincerely,

Kimberly S. Walden,
Cultural Director

KW:JE

105 Houma Drive P. O. Box 661 Charenton, LA 70523 (337) 923-9923 or 923-4395 FAX (337) 923-6848 or 923-4347

Concur.

2/13/07

The American Waterways Operators
www.americanwaterways.com

Southern Region Office
2020 N. Causeway Boulevard
Suite A
Mandeville, LA 70471

PHONE: (985) 674-1716
FAX: (985) 674-1719
E-MAIL: kwawo@msn.com

Ken Wells
Vice President - Southern Region

December 20, 2002

Mr. Darrell Broussard, Project Manager
CEMVN-PM-W
Planning Program and Project Management Division
U.S. Army Corps of Engineers – New Orleans District
P.O. Box 60267
New Orleans, LA 70160

RE: Bayou Sorrel Lock Feasibility study

Dear Mr. Broussard:

The American Waterways Operators is the national trade association representing the domestic coastal and inland towboat and barge industry. As such our members are the *major users of the* Bayou Sorrel Lock. The flood control improvement and lock replacement plan which is recommended in the study is well designed. It is necessary for the safety of area residents and for the future efficiency of the waterway. As such, it should be put into effect without delay.

However, the process used by the Corps to develop the least-cost alternative floodgate option is of some concern. Although the floodgate is not the recommended option, it has been used to help allocate costs for the preferred alternative lock structure. As a result it is an integral part of the study and should be held to the same scrutiny as the recommended lock.

It appears that the cost estimates for the floodgate option are too low and do not reflect the potential negative impact that the floodgate would have on waterborne commerce and on the local community

In that regard, we call the Army Corps of Engineers attention to the following concerns:

Concur. In development of alternative designs, all cost are developed at the feasibility level for comparison and analysis. From these figures, we are able to distinguish between alternatives. Army regulations require us to report the selected plan in a special format called M-CACES. While there may be slight differences in the M-CACES numbers and the study numbers, they are not significant enough to change the selected plan.

Do not concur. The estimates do take into account negative impacts on waterborne commerce. The final affect, however, is dampened by the frequency expected to shut the waterway down.

1. The floodgate option would involve building the structure offsite and floating it into place with minimal delays to industry. This has never been done before and exists as a hypothetical engineering design. It is doubtful that it could be accomplished within the timeline and at the cost used in the study. It is likely that, were this option chosen, costs would be higher and delays more significant.

2. The 490 days of 8-hour closures proposed as a part of the floodgate plan would create a hardship on industry that is not captured in the Corps' estimates. There are already complaints that tows waiting for the lock cause erosion damage to lands around the lock. Were the floodgate chosen, tows would be hard pressed to coordinate their arrivals at the lock with the construction schedule. As a result, eight-hour closures will cause tows to queue above and below the lock and the wash from their propellers will increase property damage. The study should either reflect the cost of this property damage or the cost of constructing enough mooring buoys above and below the structure to allow tows to wait for the lock without causing property damage.

3. The study does not adequately reflect the impact that high water would have on the anticipated 490-day schedule of 8-hour closings. High water conditions are likely to halt construction during certain periods of the year thereby extending the construction schedule and the negative impact on waterborne commerce.

4. The dimensions of the floodgate in the proposal would have the same 54-foot width as the current lock. Since the floodgate would be placed several hundred feet upstream of the existing lock, this will create a difficult obstacle for entering tows, many of which are 52 feet wide. At best this would severely slow the time required for passage of the lock. More likely, this would result in damage to the floodgate, guidewalls and tows attempting to maneuver the structure. Either the floodgate should be built at the 125-foot authorized project width and the estimated cost should reflect this change or the costs of the resulting delays and damage should be factored into the cost of this option.

Once these true costs of the floodgate option have been factored into the study, we believe it will change the cost allocation for the preferred alternative.

We reiterate that the recommended option of building a 75 ft. by 1,2000 ft. concrete lock is the right approach and we would urge the Corps to move to construction without delay. Thank you for allowing us the opportunity to comment on this feasibility study.

Sincerely,

Ken Wells

Vice President – Southern Region

concur. The construction technique selected has been successfully used in the past (Braddock Dam, Monongahela River, PA.). In addition, the New Orleans District is in the process of awarding a similar contract for the East of Harvey Canal floodgate. The proposed Bayou Sorrel floodgate is 1/3 the size of the East of Harvey design with same total shutdown times. During bid advertisement, the contractor did not have a problem with the shutdown time requirements for the East of Harvey design.

In our plan formulation exercise we identified the no-action plan as a possible alternative. In the case of Bayou Sorrel Lock, we had two alternatives that could satisfy the no-action plan, a replacement-in-kind lock and a float-in floodgate. The no-action alternatives were formulated with the absence of navigation improvements as the least cost solution to improving the flood control problems. The no-action plan also serves as the base plan upon which all other alternatives are compared against. The two alternatives were then analyzed and indexed to a common base year so that the cost could be compared. The components that we based our analysis on are: Construction, Engineering and Design, Operation and Maintenance, Construction Management, Mitigation, Real Estate and Total Closure to Navigation costs. The float-in floodgate was recommended as the least-cost no-action plan in the draft report. In part, the key factors are the construction cost and channel closure cost. Both factors were based on a similar project, East of Harvey floodgate, within the New Orleans District with unique construction techniques. At the time the draft report was prepared, we were in negotiations with a potential contractor.

Since that time, we have gained more knowledge into the construction estimates for such a unique design. Based upon a detailed specification - details that are not available due to funding at this level of a report we have increased our construction cost estimate. The increase has caused the replacement-in-kind alternative to become the least-cost no action plan. The cost sharing apportionment has been adjusted accordingly.

03
2/19/03

GICA

GULF INTRACOASTAL CANAL ASSOCIATION
2010 Butler Drive
Friendswood, TX 77546
(281) 996-6915 - FAX (281) 992-4383
E-mail-wrbutler@hal-pc.org

February 10, 2003

Mr. Darrell Broussard
Project Engineer
Bayou Sorrel Replacement
US Army Corps of Engineers
P. O. Box 60267
New Orleans, LA 70160-0267

Dear Mr. Broussard,

Please accept my apology for not being able to attend the Public Hearing in person; however, Mr. Ken Wells, of the American Waterways Operators, will represent the views of the members of the Gulf Intracoastal Canal Association and relay these prepared comments for us.

The Gulf Intracoastal Canal Association was organized in 1905 for the purpose of creating an intracoastal waterway link to all ports along the Gulf Coast. Today, its mission of preserving the waterway along its entire 1300 mile length, and continuing its improvement for commercial waterway transportation, is supported by over 200 members representing all forms of waterway users and beneficiaries. The GICA fully supports the expeditious replacement of the Bayou Sorrel Lock structure, and further endorses the 1200 by 75 foot proposed structure.

The GICA is intimately familiar with most issues concerning waterway maintenance along the length of the waterway, and we see bank erosion as a major issue for future preservation of the waterway. There are major problems at various locations from Texas throughout Louisiana. We sympathize with the residents of Iberville Parish and recognize their problem with bank erosion. The loss of bank property causes increased shoaling of the waterway, reducing channel depths and loss of channel definition for our operators. It is in the spirit of attempting to reduce this very critical problem, that we strongly urge the Corps to consider placing bank protection at appropriate locations within the confines of this project. We also urge the Corps to design this protection in such a manner so as not to puncture barge hull structures if contacted by vessels. A common cause of bank erosion is the contact of

Concur. The new lock design has rock protection extending 1-1/2 miles north of the lock and floating mooring facilities positioned to give barges a designated space for waiting. The design will incorporate a 2-ft cover of stone placed directly on the bank line extending from the top of bank to the bottom of the channel. Floating buoys will then placed every 200-ft to prevent barges from resting on the bank protection. The rock will be placed on both banks while the buoys will only be on the west bank side.

barges and boats with non-protected bank surfaces. This generally occurs at locations where barge traffic must stop and wait for lock turn, traffic, or weather. Bayou Sorrel is just such a location. We urge the Corps to install adequate number of Barge Mooring Cells and Barge Mooring Buoys to allow for "re-making" of tows that must be broken down for locking and for mooring of tows that must wait their lock turn. These structures are critical to protecting bank surfaces and barge hull structures.

We find no problems with the proposed channel alignments and applaud the Corps for considering the effects of current on tows in moving the confluence of intersecting waterways away from the immediate lock approach area. We stand ready to assist the Corps in supplying input to the final design of this structure. Thank you for the opportunity to provide these comments.

Sincerely,

Raymond Butler
Executive Director
Gulf Intracoastal Canal Association

Cc: Mr. Ken Wells
American Waterways Operators

Comments on Bayou Sorrel Lock Replacement
2/24/03

To:Darrel Broussard

It is my opinion that tows 70 feet wide transerding the Morgan City Port Allen Route is to wide for this waterway. I grew up around this waterway and have seen the erosion that the towboats have caused already to the banks. I also think that if these new locks are put in 75 foot wide by 1200 foot long. A Pilot has only 5 feet to play with. This will lead to a lot of damage to tows and lock walls. Trying to enter locks with a side wind and a sixpack of emty barges 70 foot wide by 600 foot long two barges wide three barges long, each barge 35 ft. wide by 195 to 200 ft. long and the Boat 60 to 80 are more long. You got 75 foot hole to hit with 70 foot wide tow (ain't easy). Now with loaded barges that are box ends if you try and back up, the wheelwash hits the square end of the barges and this push's the tow and make's it very hard to control the tow. This waterway was not designed for tows of this size. The residents that live along this waterway really don't want towing vessels passing in front of their property causing their land to fall away in to the waterway. These 70-ft. wide tows pull more of a bank suction because they push more water ahead. The 35 to 54 ft wide 1100 ft.long tows also cause a lot of damage but they don't displace as much water .I as a Pilot would much rather meet a single wide tow (35 to 54 ft.wide) on this waterway then a doubled up tow (70 ft.wide) The tows size should be down sized for the M.C.P.A Route to 900 foot long MAX.The peoples lives that live along this waterway are in danger every time a petroleum or chemical barge pass in front of there homes. Red Flag tows should never be alouded to double up (70ft.)On this waterway. We have had some really bad mishaps on our waterways and the U.S.Coast Guard as well as the U.S.Corps.of Engineers should set safety standards on our waterways. It is like at intersecions people got to die before a red light goes up.
The new locks is long over-due, The new locks will be a great improvement to flood control and will save the towing industry money by reducing delays, the tows will no longer have to use a assist boat to brake there tows in half to make a double lock or tie half of the tow off and lock, Then tie off the other half lock back lite-boat then lock the other half and make it all back up. The Corps of Engineers and the Towing Industry needs to look at the environmental impact that the boats and barges transiting this area are having on the erosion of the banks of this waterway. The Towboats that have over 3000 Horse Power are the ones that are doing the most damage because of the larger wheels that is set in Kort Knozzles.The Kort Knozzles makes more power, But takes more water to work right and the canal is not wide or deep enough for boats of this size. The boats are longer so the stern of the boat has to ride the canal bank when making turns.The Towing Industry needs to work at building a better image for it self .The road just north of Jack Millers Landing has been closed due to the bank caving -in bringing part of the road with it! The Locks are not the only problem that plagues this waterway.

Yours truly,

Signed.....

Capt.David Whitehurst
Gulf Coast Mariners association
Board of Directors
U.S.Coast Guard License
Operator of Uninspected Towing Vessels
Sixth Issue

Do not concur. The replacement lock will not affect the size of tows moving over the Morgan City-to-Port Allen route. 33 CFR Part 162, Chapter 75 mandates the U.S. Coast Guard to restrict tows using the Morgan City-to-Port Allen Alternate Route to be no larger than 55 feet wide by 750 feet long due to bend way constrictions in the channel. Larger tow configurations, not to exceed 80 feet wide by 1,180 feet long, are allowed with special permits.

The new lock design has rock protection extending 1-1/2 miles north of the lock and floating mooring facilities positioned to give barges a designated space for waiting. The design will incorporate a 2-ft cover of stone placed directly on the bank line extending from the top of bank to the bottom of the channel. Floating buoys will then placed every 200-ft to prevent barges from resting on the bank protection. The rock will be placed on both banks while the buoys will only be on the west bank side.

DM 2/28/03

SCHWING MANAGEMENT, LLC

CHARLES E. SCHWING
President

February 26, 2003

STACIE B. BAYBON
Vice President

U. S. Corps of Engineers
New Orleans District
P. O. Box 60267
New Orleans, LA 70160-0267

Attention: Daryl Broussard, Project Manager

Re: Bayou Sorrel Locks
Iberville Parish, Louisiana

Gentlemen:

We represent the owners of property in Sections 27 & 28, Township 10 South, Range 11 East, fronting on the Intracoastal Waterway north of the Bayou Sorrel locks. We are greatly alarmed at the Corps intention to increase the size of the Bayou Sorrel locks; thereby, increasing barge and tow traffic along the Intracoastal Waterway.

Our landowners have experienced excessive erosion from the current traffic and were forced to expend $300,000 protecting a portion of their property. The Corps committed to make these improvements but reneged on that written commitment.

Please take this letter as a formal protest against doing anything that will increase traffic and tow size in the Intracoastal Waterway thereby exposing private property owners to greater erosion problems. The Corps is well aware of the erosion problem in this area and we request that the project not go forward unless past commitments of the Corps are honored and new binding commitments are made to protect the entire water frontage along the Intracoastal Waterway at Bayou Sorrel.

I will be happy to meet with any Corps official to discuss our position in this matter.

Sincerely,

SCHWING MANAGEMENT, LLC

Charles E. Schwing, President

CES/sbr
pc: Congressman Richard Baker
Senator Rob Marionneaux, Jr.
Representative Emma Devillier
Mitchell Ourso, Parish President
Sandra Thompson, Atchafalaya Basin Program

9422 Common Street • Suite 2 • Baton Rouge, LA 70809
(225) 927-4447 • (225) 687-6382 • Fax (225) 927-2181
Email: schwinginc@aol.com

Do not concur. In the Bayou Sorrel Lock, La. Feasibility study we analyzed historical barge traffic on the entire GIWW system including the Port Allen- to-Morgan City alternate route. We identified traffic movements associated with Bayou Sorrel Lock and determined that increasing the capacity of Bayou Sorrel has no substantial affect on the barge and tow traffic along the GIWW alternate route above the w/o project conditions. This means traffic projections are expected to increase even if we did nothing at the lock. They will continue to increase until it becomes cheaper to transport cargo by other means. A larger capacity lock at Bayou Sorrel will however get the traffic that is in the system away from the Bayou Sorrel community faster.

Our investigations have further determined that the largest cause of erosion is the barges stopping and tying up to the bank in the vicinity of the lock. W/O project projections have delays increasing to 12 hours by the year 2010. The new proposed larger lock will decrease this delay time to a little less than 1 hour (.9) and will drastically reduce the need to tie up to the bank, therefore, decrease the amount of erosion in the area.

The new lock design has rock protection extending 1-1/2 miles north of the lock and floating mooring facilities positioned to give barges a designated space for waiting.

Broussard, Darrel M MVN

From: Randall Thigpen [rthigpen@westgate-inc.com]
Sent: Friday, December 20, 2002 11:00 AM
To: Broussard, Darrel M
Subject: Bayou Sorrel Lock Project

otice: In support of the idea of building the Bayou Sorrel Locks 115' wide I submit the following information. The Corps of Engineers plans to uild a new set of locks at Bayou Sorrel, but how wide will the new locks be. I know of no physical reasons why the locks shouldn't be built 115' ide. I have compiled information from Bridge Operators and the Louisiana DOTD about the three bridges that cross the Intracoastal Waterway etween the Port Allen Locks and the Bayou Sorrel Locks.

) Union Pacific Railroad Bridge, called - "Morley Bridge", horizontal clearance when open is 120', vertical clearance when open roughly 85', formation source - Morley Bridge Operator phone # 225-749-8005.

) Highway #77 Swing Bridge, called - "Gross Tate Bridge", clearance when open is 125', information source - Louisiana DOTD phone #225-31-4126.

) Highway # unknown to me at this time, called - "Bayou Sorrel Swing Bride", clearance when open is 130', information source - Louisiana OTD phone # 225-231-4126.

ote: Once south of the Bayou Sorrel Locks I believe there are no other bridge crossings of the Intracoastal Waterway until Morgan City where ighway 90, a rail bridge and another road bridge cross the ship channel. Those three bridges are higher and wider than concern my point.

ask that you please continue to consider the benefits of having the Bayou Sorrel Locks built to accommodate load widths in the 115' range. This ould maximize the waterways designed capacity for future use by allowing businesses to operate here that would be impossible with a narrow idth lock system. This would also fit into an overall Intracoastal Waterway upgrade strategy.

andy Thigpen

247 Emily Dr., Port Allen LA 70767

h.# 225-749-2635

2/24/2002

Do not concur. For water resource planning studies, the Corps selects the recommended plan based on net contributions to the nation consistent with protecting the environment. The plan that maximizes net contributions to the national economic development account is designated the National Economic Development (NED) plan. In the case of replacement locks at Bayou Sorrel, the 75-ft by 1,200-ft lock is designated as the NED plan.

While the channel was designed with a 125-ft width, it was never intended for barge traffic to be configured larger than 80 feet wide. 33 CFR Part 162, Chapter 75 mandates the U.S. Coast Guard to restrict tows using the Morgan City-to-Port Allen Alternate Route to be no larger than 55 feet wide by 750 feet long due to bend way constrictions in the channel. Larger tow configurations, not to exceed 80 feet wide by 1,180 feet long, are allowed with special permits.