

# MR-GO, NEW LOCK AND CONNECTING CHANNELS

## COMMUNITY IMPACT MITIGATION PLAN

### INTRODUCTION

The existing lock, in service since 1923, is dimensionally obsolete and no longer able to meet the demands of waterborne traffic utilizing the Inner Harbor Navigational Canal (IHNC) and connecting channels. A new, larger, more efficient lock is required to meet the demands of increased traffic and larger vessels. The tentatively selected plan, as identified in the main report, is to replace the existing lock with a prefabricated, floated-in lock 110-feet x 1,200-feet x 36-feet deep. It will be located in the IHNC between Claiborne Avenue and Florida Avenue. The tentatively selected plan includes replacement of the St. Claude Avenue bridge with a new low-level bridge, replacement of the lift span and towers of the Claiborne Avenue bridge, construction of a temporary bypass bridge at St. Claude Avenue, construction of a temporary bypass channel around the new lock construction area and around the existing lock, tying in flood protection to the new lock, and implementing a community impact mitigation plan to help offset project impacts.

This community impact mitigation plan is designed to be an integral part of the proposed MR-GO, New Lock and Connecting Channels project, commonly referred to as the IHNC or Industrial Canal/ Lock Replacement project, and was authorized as such by the Water Resources Development Act of 1996. Implementation of the mitigation plan is intended to mitigate for and /or compensate the community for the impacts and inconveniences associated with the construction of the lock, bridges, and other related project features. Therefore, the recommended plan, replacement of the IHNC Lock at the North of Claiborne Avenue location, includes the implementation of the mitigation features identified in this plan.

1/ IHNC and Industrial Canal will be used interchangeably throughout this appendix.

The mitigation plan evolved, over time, through a continuing dialog with representatives of the neighborhoods and other related community interests actively involved in an iterative planning process. Please note that these representatives participated in the process while still maintaining their opposition to the project throughout the process. The results of the process are presented in this appendix.

Before describing the processes used to develop the mitigation plan and the details of the mitigation plan, one needs to understand the composition and nature of the communities and residents that will be mostly impacted by this project. Even though the recommended plan will not physically relocate residences, it will still impact the communities and neighborhoods on each side of the IHNC. Knowing the opinions and having insight into the background of the residents will greatly assist in understanding why mitigation of impacts to the human environment is needed.

It should be stated that areas in St. Bernard Parish will also be impacted by this project, but to a lesser extent than the communities located along the Industrial Canal. St. Bernard Parish will be compensated for any impacts on their area, but the area will not be described in detail in the next section.

#### **DESCRIPTION OF THE ADJACENT NEIGHBORHOODS**

The Bywater and Holy Cross neighborhoods front on the Mississippi River and lie west and east, respectively, of the IHNC and generally south of St. Claude Avenue. The St. Claude and Lower Ninth Ward neighborhoods are to the north of St. Claude Avenue lying west and east, respectively, of the IHNC, and extending north to Florida Avenue. The eastern boundary of the Lower Ninth Ward and Holy Cross neighborhoods is the Orleans-St. Bernard Parish line. The western boundary of the Bywater and St. Claude neighborhoods is the Franklin-Almonaster corridor. Plate A-1 shows the neighborhoods relative to the IHNC.

Within the area are two designated National Register Historic Districts. The boundaries of the Bywater and Holy Cross Districts are very irregular as shown on Plate A-1. All of the Holy Cross district is south of St. Claude Avenue. Both of these have also been locally designated by the City of New Orleans as Historic Districts. The boundaries of the locally designated districts vary slightly from the two districts on the National Register of Historic Places. The Historic District designation covers about 60 percent of the area defined as the Holy Cross neighborhood. The Bywater Historic District covers virtually all of the area defined as the Bywater neighborhood and extends across St. Claude Avenue and, in one instance, across North Claiborne Avenue into the area

defined as the St. Claude neighborhood.

The St. Claude and Bywater neighborhoods, west of the IHNC, are the oldest of the neighborhoods. Approximately 46 percent of the housing stock in Bywater and 40 percent in St. Claude were built prior to 1940. That housing stock is now over 55 years old. In the Holy Cross neighborhood, more than 37 percent of the housing stock was built prior to 1940. In the lower Ninth Ward, only 15 percent was of this vintage.

The Holy Cross neighborhood was established in 1832 when Jackson Barracks was constructed as a US Army housing facility. In 1849, the Brothers of the Holy Cross came to New Orleans to operate St. Mary's Orphanage, and several years later they established St. Isadore's College which was later renamed Holy Cross.

After many years of constant decline in the quality of life and community cohesion and growth in these neighborhoods, through the efforts of the local residents and neighborhood leaders the areas have begun to reverse this downward trend. The already established neighborhood associations and the recently established community development corporations have worked vigorously to secure funds for improved conditions in their areas. Many areas have been cleaned up and improved. Numerous properties and houses have been renovated. Streets have been repaired. There is still a long way to go, but the residents need to be commended for their efforts, which can only be supplemented with the mitigation funds authorized for this project.

Neighborhood Characteristics. Social resources include population data, community and regional growth statistics, elements of community cohesion, and aesthetic and historic resources.

Prior demographic data collected for the IHNC area included the following characteristics by neighborhood: age, racial composition, educational achievement, households with female head of household, average number of persons per household, household income, and population density. Census data by tract has been used to present demographic data by neighborhood.

All population characteristics by neighborhood, with the exception of income and education, are derived from the 1990 census. The census tracts used for each neighborhood are as follows:

Holy Cross	7.02 and 8
Lower Ninth Ward	7.01, 9.01, 9.02, 9.03, and 9.04
Bywater	11 and 12
St. Claude	13.01, 13.02, 13.03, 13.04, 14.01, 14.02, 15, and 16

According to the Gregory C. Rigamer and Associates, Inc. (GCR) assessment of the area, published in a report dated Sept 1991 entitled "Socio-Economic Impact Analysis and Mitigation Plan", the

median years of education in the IHNC area was 11.1. Average household income (1985) in the neighborhoods was estimated to be \$13,291.

The following tables show 1990 population by age, percentage of households headed by females, population density and population for each neighborhood and for the total IHNC area:

**Table 1**  
**Population Comparison**

<u>Neighborhood</u>	<u>1990 Census</u>	<u>1980 Census</u>	<u>Change</u>	
			<u>Number</u>	<u>Percent</u>
Lower 9th Ward	16,207	20,807	-4,600	-22.1%
Holy Cross	6,101	6,482	-381	-5.9%
Bywater	5,381	6,650	-1,269	-19.1%
<u>St. Claude</u>	<u>18,029</u>	<u>21,763</u>	<u>-3,734</u>	<u>-17.2%</u>
Total IHNC area	45,718	55,702	-9,984	-17.9%

**Table 2**  
**Population Characteristics (1990)**  
**Age, Female Households, Density**

<u>Neighborhood</u>	<u>&lt; 18 Yrs. Old</u>	<u>&gt; 18 Yrs. Old</u>	<u>Density</u>	
			<u>% Female Headed Household</u>	<u>Per Acre</u>
Lower 9th Ward	31.9%	68.1%	49.0%	15.1
Holy Cross	30.6%	69.4%	46.2%	6.8
Bywater	27.8%	72.2%	44.9%	8.6
<u>St. Claude</u>	<u>35.1%</u>	<u>64.9%</u>	<u>52.0%</u>	<u>25.2</u>
Total IHNC area	32.5%	67.5%	49.3%	13.8

**Table 3**  
**Population By Race (1990)**

<u>Neighborhood</u>	<u>Black</u>	<u>White</u>	<u>Other</u>
Lower 9th Ward	99.1%	0.7%	0.2%
Holy Cross	76.8%	21.8%	1.4%
Bywater	65.4%	32.0%	2.6%
<u>St. Claude</u>	<u>90.6%</u>	<u>08.5%</u>	<u>0.9%</u>
Total IHNC area	88.8%	10.3%	0.9%

Census data indicate that the population for the area adjacent to the IHNC, as a whole, declined approximately 18 percent between 1980 and 1990. The Lower Ninth Ward neighborhood experienced the most dramatic decrease in population, with a loss of 4,600 persons or 22.1 percent of its population. The Holy Cross neighborhood had the smallest change, losing only 381 people or 5.9 percent of its population. The percentage decreases of population in the Bywater and St. Claude were 19.1 percent and 17.2 percent, respectively. Based on population data, the Holy Cross neighborhood appears to be the most stable of the four neighborhoods in the IHNC area.

The overall population of the area continues to increase in age. The percentage of the population under 18 declined from 34.1 percent in 1985, as reported by the Regional Planning Commission, to 32.5 percent in 1990, as reported in the 1990 census. Bywater has the smallest percentage of persons under 18 (27.8 percent), and St. Claude has the largest percentage (35.1 percent).

In 1990, the black population reported by the Census represented 88.8 percent of the total population in the IHNC Lock area. The white population represented 10.3 percent of the total, and other races comprised the remaining 0.9 percent. The Lower Ninth Ward has the largest percentage of total population which is black with 99.1 percent. Bywater has the smallest percentage of black population with 65.4 percent.

Half of the households in the IHNC area are headed by females. This compares to 44 percent in Orleans Parish as a whole. The highest percentage of female heads of household is in the St. Claude neighborhood where 52 percent are in this category. In one Census tract within the St. Claude neighborhood, more than 90 percent of the heads of household are female.

Population densities have not changed significantly since the 1980 census. The area has an overall density of 13.8 persons per acre. In 1980 there were 14.5 persons per acre.

### **COMMUNITY CONCERNS**

Throughout the history of this project there has been heated debate about the project impacts. There has been concern and opposition to almost every proposal ever advanced to replace or

improve the existing antiquated facilities. Within the community there has been a fear of the project because of the potential disruption and inconveniences that would be inflicted on the community.

The neighborhoods adjacent to the IHNC have openly expressed their concerns. As an example, the Bywater Neighborhood, in response to the scoping input request in 1988, indicated that they are "gravely concerned with any and all proposals that would cause increased vehicular traffic in our area, noise pollution, air pollution, litter, ground vibration, roadway deterioration, and greater levels of hazardous material transportation." They also pointed out the historic nature of their neighborhood and National Register listing.

The City of New Orleans, City Planning Commission went on record saying, "It is also important that all impacts be identified so that mitigating measures can be devised to address any negative impacts. Any mitigating measures should result in a net improvement to the neighborhood, not just a restoration to conditions that existed before the project." Their letter went on to say "While . . . there is a serious need for improvements to the MR-GO, . . . it is necessary that the interests of the neighborhood be kept in mind."

With the initiation of the Neighborhood Working Group (NWG) process in 1991 (explained in more detail later in this appendix), it quickly became evident that all of the neighborhoods did not favor the lock project. Among the opinions voiced was that many people thought there was a cloud hanging over the area since about 1960 when planning for a new lock began and the IHNC was targeted as a potential site. Some even look upon the lock replacement project to be like a cancer in remission; it keeps flaring up every once in a while but never goes away. It has been alleged that the periodic publicity about proposals being considered for the area has caused considerable damage in the communities to date (i.e. - decline in property values, increase in vacant and abandoned properties, the reluctance of lending institutions to extend maintenance and rehabilitation monies, the reluctance of businesses to locate in the area, etc.). In spite of this, it was generally agreed that we would discuss the project and work together to try to develop the best mitigation plan possible at the IHNC.

Using the GCR Report as a source document, the NWG discussed several categories of impacts. During the course of discussions a mutual respect developed among those within the working group. Numerous issues of concern to the neighborhoods quickly emerged. Some of these include the following:

- None wanted a mid- or high-level bridge at St. Claude. They voiced concerns that such a bridge would create safety problems in the neighborhood because of the schools located along or in close proximity to St. Claude. They expressed concern about the visual impact of such a structure being imposed in the area and mentioned the increased emissions potential and degradation of air quality.

- Noise from construction activity would be extremely disruptive to everyone, including schools.
- There were concerns about crime in the area and related police and emergency services.
- They wanted jobs and training.
- They expressed concern that the City and other levels of government had basically ignored their needs in the past.
- Transportation improvements was another item of concern.
- Concern about declining property values (Perception that the project will de-value their property).
- Concern about the duration of project construction.
- They requested that the Corps develop a plan for a new lock North of Claiborne Avenue.

At the request of the Port of New Orleans and local elected officials the working group effort was suspended while the north of Claiborne Avenue plan was being developed. The process resumed in 1994 with the Port serving as the lead agency. During the period when the working group efforts were held in abeyance, the Corps developed the North of Claiborne Avenue Plan and incorporated neighborhood concerns identified by the working group. It was recognized that to be effective, the mitigation plan must address the community needs, as well as the consequences associated with the project's construction activity. The proposed mitigation plan must compensate the community for the inconveniences associated with the construction of the project.

With a renewed working group effort, the more difficult task of identifying community needs and concerns was accomplished. After a series of heated meetings and much discussion, needs and concerns were identified which formed the basis for the mitigation plan that evolved. Even though the proposed lock replacement plan will not physically relocate residents, it still impacts the neighborhoods in the community on each side of the IHNC. From their perspective some of the potential problems that will be complicated by construction of the proposed new lock project are:

- inconveniences (loss of time and money) due to bridge operations and closures,
- isolation from the major part of the city for those on the east side of the canal,
- potential population loss, particularly of those who grew up in the Lower Ninth Ward, and
- difficulty in reaching medical services, especially in emergency situations.

In addition, there is a perception that construction of the project will contribute to increases in abandoned houses, decrease the possibility of occupancy in abandoned houses, along with decreases in property values and increases in crime, drug houses, and unemployment.

An understanding of the opinions and concerns of the neighborhood residents greatly assists in understanding why and what type of mitigation is needed. In addition to the NWG meetings, the Holy Cross Neighborhood Association submitted a

letter report in March 1994 detailing their recommendations related to the mitigation of the impacts of the proposed new lock project on their community. This letter is attached as Exhibit V. Their report reflects their sensitivity for the historic nature of their neighborhood, property values, neighborhood amenities, transportation, security, and the importance of the historic Holy Cross school as both the community's largest employer as well as its educational importance to the metropolitan area. Needs and concerns about other schools in the area were also identified. The working draft plan that has evolved into the project community impact mitigation plan incorporates many of their recommendations.

## **BASIS FOR MITIGATION PLANNING**

Mitigation planning originated with the recognition of a range of severe adverse impacts that were associated with the previously proposed construction of a replacement lock 200 feet east of the existing lock structure on the IHNC. The acute, pervasive, and disruptive nature of these impacts required community involvement in mitigation planning.

Beginning in 1988, with responses to the scoping input request, the Corps became cognizant of the specific concerns of neighborhood residents in the vicinity of the IHNC. These have been discussed in the previous section.

Implementation of the 200-foot East plan, identified in 1990 as the tentatively selected plan, would have resulted in substantial residential relocation, exposure of the adjacent community to sustained, unacceptable levels of construction noise, and prolonged traffic congestion associated with the replacement of two vehicular bridges that span the canal.

Recognizing that lock construction at this location would greatly impact the neighboring community, the New Orleans District commissioned Gregory C. Rigamer and Associates, Inc. (GCR) to prepare a socio-economic impact evaluation and mitigation plan for the five (5) alternative locations being considered at the time. GCR assembled a study team comprised of members of its staff and supplemented with experts from the University of New Orleans (UNO) and Southern University New Orleans (SUNO). The team quickly concluded that the order of magnitude of the impacts associated with the alternative locations at the IHNC being considered were similar and that the area impacted varied with the location; however, the impact on the receptors was similar under all alternatives. GCR concluded that due to the duration and intensity of the project as proposed at that time, pre-project mitigation was warranted to improve the area and, thereby, prepare it to meet the consequences associated with the construction of the proposed facility. It was also their strong recommendation that consideration be given to the location in the IHNC between Florida Avenue and Claiborne Avenue because constructing the new lock at

this location would impact fewer area residents. GCR further concluded that a north of Claiborne Avenue location would reduce right-of-way requirements and enhance the ability to confine the project's construction activity to an isolated area. They also concluded that it was possible to mitigate the consequences associated with the construction of the new facility north of Claiborne Avenue and to improve the area through a comprehensive mitigation program, including pre-project mitigation.

#### **CONGRESSIONAL DIRECTION**

Both the U.S. House of Representatives and U.S. Senate Appropriations Committees recognized the potential impact of the lock replacement project. In their reports accompanying the Fiscal Year 1991 Appropriations Bill, they directed the Corps to establish a community participation process to involve all stakeholders in the plan formulation of this project. The committee reports specifically instructed the Corps to give maximum consideration to the selection of a construction site on the IHNC which would minimize adverse impacts to residences and businesses while meeting the goal of improving waterborne commerce.

National policy inherent in the National Environmental Policy Act and in 40 CFR Part 1500.2 Paragraph (f) which states "Use all practicable means, consistent with the requirements of the act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the human environment". Recognizing this and given the unique circumstances associated with this project, a shift in focus from the natural environment to the social environment required a corresponding departure from the traditional methods of environmental impact analysis and mitigation planning. In view of these circumstances and in accordance with guidance contained in the committee reports accompanying the FY-91 Appropriations Act, a broad based community participation process was established by the Corps to assist in the development of a general mitigation package as an integral part of the lock replacement plan.

Additionally, Congress further recognized the vital importance and need for a community impact mitigation plan by including authorization for such a plan in the Water Resources Development Act (WRDA) of 1996. The act stated "... the Secretary shall implement a comprehensive community impact mitigation plan, as described in the evaluation report of the New Orleans District Engineer dated August 1995, that, to the maximum extent practicable, provides for mitigation or compensation, or both, for the direct and indirect social and cultural impacts that the project..... will have on the affected areas...."

## EVOLUTION OF MITIGATION PLANNING

In response to the FY 91 Congressional guidance, the New Orleans District, in cooperation with the Port of New Orleans, established the Industrial Canal Lock Advisory Council. Membership of this council consisted of 15 members representing the affected neighborhoods (4), businesses (3), the maritime community (4), and elected officials (4). The purpose was to assure full participation by all elements of the affected community in the development of a comprehensive plan for the replacement of the existing Industrial Canal Lock.

Two contentious meetings were held in February and June 1991. Both meetings were attended by neighborhood residents that underscored the sensitivity of the neighborhoods to the lock project. They also expressed extreme displeasure with the makeup of the Council and the way they perceived they were being "railroaded". The lack of progress by the Council prompted the Corps to try a more direct approach in communicating with neighborhood people.

The District established a Neighborhood Working Group (NWG) comprised of representatives of the Corps, the Port of New Orleans, the local neighborhood and business associations, the City Planning Commission, the Historic Districts Landmarks Commission, and the Regional Planning Commission in order to exchange information, solicit community views, and advise the District Engineer on matters pertaining to the project.

Beginning in August of 1991 and continuing through the remainder of that year, the Corps conducted a series of meetings of the NWG. The NWG met every other week to discuss all aspects of the then tentatively selected plan (the 200-foot east site) and to identify and investigate the range of mitigation required as a prelude to the development of a project mitigation plan. A summary of the meetings is included in Exhibit I. The GCR report was used as a basis for discussion. The NWG discussed the potential for a mitigation plan that would include substantial, community-wide infrastructure enhancement as a form of pre-project, out-of-kind compensation for residual impacts which could not be directly mitigated. However, continued local opposition to the site precluded the development of a comprehensive community mitigation plan for the 200-foot East location. Utilizing the GCR Report as a basis for focusing discussion on mitigation, the leaders of the Holy Cross, Bywater, and Lower Ninth Ward neighborhood associations and the St. Claude Business Association repeatedly asked the Corps why a location in the Industrial Canal north of Claiborne Avenue, identified in the GCR report, was not presented as an alternative construction site since this had the potential to significantly reduce project related impacts on the community.

Although the Corps explained that previous design studies showed lock construction at this location would be more costly, and would have required closure of the Industrial Canal for up to 6 years, community representatives insisted that the North of

Claiborne Avenue site represented the least objectionable location from a community impact standpoint. *Please note, however, this did not constitute an endorsement of the project by the NWG, only a shift of focus to another location.* Community leaders also voiced strong opposition to a mid-level replacement bridge at St. Claude Avenue, asserting that only a project including a low-level St. Claude Avenue bridge could ever gain community acceptance.

As a result of these deliberations, the Corps agreed to further investigate the prospect of constructing a replacement lock north of Claiborne Avenue with a low-level replacement bridge at St. Claude Avenue.

#### **FORMULATION OF A NEW NORTH OF CLAIBORNE AVENUE PLAN**

Between January 1992 and August 1993, a period during which the NWG forum was in abeyance, the Corps developed a new plan for constructing a replacement lock at the north of Claiborne Avenue location (See Plate A-2). This new plan consisted of constructing a lock chamber that is prefabricated in sections at an off-site location, floating the lock to the site in sections, and placing it on a foundation. Originally the lock was a steel shell design but after review by Corps Headquarters in Washington (HQUSACE), the lock design was changed to a float-in concrete design. (A temporary bridge, to be built at St. Claude Avenue, was added to the project during the public comment period in early 1997.) A temporary bypass channel around the proposed new lock construction site will allow for continued use of the IHNC for navigation during construction. Also included in the project will be reconstruction of the flood protection (levees and floodwalls) to accommodate the higher Mississippi River stages, a new low-level bridge at St. Claude Avenue, and replacement of the towers and lift span on the Claiborne Avenue bridge. A temporary navigation bypass channel around the existing lock will be constructed to allow for continued use of the waterway during demolition of the existing lock. Mooring facilities will then be constructed in the channel where the old lock was situated.

The Corps determined that the impacts associated with the 200-foot east plan were not amenable to full, direct mitigation and that an extensive program of general mitigation would be insufficient to restore to the community a quality of life that prevailed prior to project construction. Therefore, the 200-foot plan was judged to be unimplementable because it no longer met the National Economic Development (NED) criteria. As a result, the North of Claiborne Avenue plan represented the only implementable construction alternative for a replacement lock on the Industrial Canal. These conclusions were documented in a mini-report entitled Mississippi River-Gulf Outlet, New Lock and Connecting Channels, Louisiana: Evaluation Study. This report, which was prepared as a part of a broader analysis, was completed in October 1992 and approved by HQUSACE in March 1993. The results of that "mini-

report" are included in Volume I, the Main Report and Environmental Impact Statement of this Evaluation Report.

The plan that was developed for the North of Claiborne Avenue location eliminates displacement of residents and substantially reduces some of the major project-related impacts in the area, such as construction related noise and traffic congestion. The Corps' decision to exclusively consider the North of Claiborne Avenue location, therefore, fulfilled the congressional mandate to give maximum consideration to lock replacement alternatives which minimizes residential and business disruption while meeting the goal of improving waterborne commerce.

#### **MITIGATION PLANNING FOR THE NORTH OF CLAIBORNE AVENUE SITE**

The remaining work for the NWG consisted of developing a comprehensive needs inventory that served as the framework for a plan to identify and mitigate an array of project impacts of reduced scope. For this purpose, the NWG meetings were resumed in August 1993.

Chaired by the Port of New Orleans, the local project sponsor, the neighborhood working group reconvened with a view to solicit ideas from community representatives for developing a comprehensive mitigation plan that would be based upon a revised set of project impacts that, in turn, would be identified by the working group. Exhibit II contains a list of the initial neighborhood working group members. These meetings have been opened to the public and many other individuals have attended the meetings at various times and expressed their views. Also, representatives of the different groups have changed over time.

During the course of the NWG efforts, both the Corps and Port listened and learned much about the concerns of the local residents. Again they stated their continued opposition to the project but were willing to talk. There were strong feelings among the local populace that the long period of planning for a lock replacement has, in itself, contributed to the stifled growth and/or re-development within the neighborhoods adjacent to the IHNC Lock. It is difficult, if not impossible, to ascertain just what impact the long, drawn-out processes have had on the area. What is certain is that the residents certainly perceive and believe that this has occurred.

Residents are sincere in their beliefs and are primarily concerned with the basics of survival in the contemporary local urban environment. Some of the needs identified by the group included housing improvements, jobs, improved public services (including police and fire protection), improved emergency and medical services, improved educational and training opportunities, improved recreation opportunities and facilities, street and drainage improvements, transportation improvements, etc.

With this in mind, there is still a very strong sense of community, particularly in the Holy Cross and Bywater

neighborhoods, where people have a keen sense and awareness of their historical heritage. Residents of these neighborhoods have indicated that they would like to preserve the historical and cultural attributes of their neighborhoods and further develop the potential of their historical heritage. In the Lower Ninth Ward there is also a sense of community pride with the recent completion of the new Martin Luther King Middle School for Science and Technology.

On the basis of the NWG meetings (See Exhibit III for meeting summaries), which included recommendations by the Holy Cross Neighborhood Association (See Exhibit V) and numerous other suggestions by NWG members and others, a working draft proposed mitigation plan for the IHNC Lock Replacement project was developed. (See Exhibit VI.) That draft proposal served as the basis upon which the Corps formulated a comprehensive community impact mitigation plan that incorporates many of the ideas, concerns, and desires of the local residents. The action by the Corps to not only consider, but to include the input from the working group in the preparation of a comprehensive plan complies with the guidance outlined in the FY 1991 reports of the House and Senate Appropriations Committees. Consequently, the selection of the North of Claiborne Avenue site, which was strongly suggested by the NWG as the only site that had potential for minimizing the community impacts, coupled with the process used to develop the project mitigation plan fulfilled the Congressional guidance.

In addition to the NWG, the Corps also established a navigation working group comprised of navigation interests. This working group included representatives of the American Waterways Operators, the Gulf Intracoastal Canal Association, the New Orleans Steamship Association, the U. S. Coast Guard, the industries along the impacted portion of the IHNC, the Governor's Task Force on Maritime Affairs, the Port of New Orleans, and others. Discussions with this group led to the development of by-pass channels around the new lock construction site and around the existing lock during the demolition phase. Feedback from this working group was critical in developing a plan north of Claiborne Avenue that was acceptable to navigation interests and significantly less disruptive to the surrounding community.

After the Draft Evaluation Report was released to the public for review and comments on 5 December 1996, a public meeting was held on 27 January 1997 at Holy Cross High School. Continued opposition to the proposed project and mitigation plan predominated the public statements made at the meeting. Major concerns raised included that the mitigation plan (\$33 million) was woefully inadequate to offset the devastating impacts this project will have on the area ("It is an insult to the community" was a quote from one of the speakers). Some suggested that a "Model Community" be established in the entire Ninth Ward Area with the mitigation funds from this project. Many others were concerned about the catastrophic impacts any bridge closure would have to businesses along St. Claude and Claiborne Avenues. Much concern was raised

about the unacceptable nature of floodwalls being put in areas where green levees presently exist. Some concerns were raised about our disposing of dredged material that they thought was contaminated. We also heard concerns about the high-rise bridge being proposed by the State of Louisiana at Florida Avenue and the devastating results of the construction of the MRGO channel some 30 years ago. More details of the public meeting, the comments made at the meeting, the comments received after the meeting and the responses to these comments are contained in Volume 9, Public Views and Comments.

In addition, a Town Hall meeting was called in St. Bernard Parish on February 19, 1997, by a member of the Parish Council. A presentation about this project was made to the approximately 100 attendees. The main theme of the meeting was that the residents in St. Bernard Parish deserve some of the mitigation dollars associated with impacts the project will have on them, such as traffic delays and lost revenues due to project construction. They also believe the Corps owes them for the construction of the MRGO channel that continues to significantly damage their parish. They object to the low-level bridge at St. Claude Avenue and don't like the so-called contaminated material being disposed of in their parish. They believe the expenditure of funds on the temporary bridges is not wise and could be put to better use if the funds were used to build the high-rise bridge at Florida Avenue. More details of this meeting are also contained in Volume 9, Public Views and Comments.

#### **IHNC LOCK REPLACEMENT MITIGATION PLAN**

The selection of the North of Claiborne Avenue site and the inclusion of a temporary bridge at St. Claude Avenue have reduced the scope of project impacts. Therefore, mitigation planning focused in the areas of minimization of the remaining direct impacts on the community and indirect compensation for the impacts on the community for which direct mitigation is not adequate. The implementation of the proposed construction plan that more effectively avoids the impacts, that were inevitable for the previously proposed 200-foot East plan, significantly enhances the effectiveness of the mitigation plan.

Construction measures and procedures will be undertaken by the Corps to avoid adverse impacts of the project. Even though these are technically mitigation measures because they avoid construction impacts, they represent prudent and innovative engineering design and construction practice. These are included in the project construction cost, but not considered part of the community impact mitigation plan. There being a technical limit to impact avoidance through normal procedures, measures for minimization of direct impacts are then required to render the remaining adverse project impacts less severe or to eliminate them where possible. Once impact avoidance measures and direct impact minimization measures

are applied, a set of residual impacts that cannot be avoided or minimized remain. At this point, these residual impacts must be identified, and a program of compensation measures be developed for the affected community on a scale commensurate with the level of residual impacts. This includes the inconveniences suffered by the community over the long period of project planning and construction. Many of the compensation measures are out-of-kind measures requiring a certain degree of empathy and judgment to ascertain reasonableness. The magnitude of the compensation for these impacts is scaled to the anticipated severity of the residual community impacts.

The North of Claiborne Avenue plan consists of constructing a lock chamber that is prefabricated at an off-site location, floating the lock chamber to the site in four sections, and placing it on a prepared foundation. A temporary bypass channel around the new lock site will allow for continued use of the IHNC for navigation. Also included in the project will be reconstruction of the flood protection (levees and floodwalls) to accommodate the higher Mississippi River stages, a new low-level bridge at St. Claude Avenue, and replacement of the towers and lift span on the Claiborne Avenue bridge. A temporary bypass bridge will be built at St. Claude Avenue and innovative construction methods will be used at Claiborne Avenue that will essentially eliminate any required closures of these major traffic arteries during project construction. A temporary navigation bypass channel around the existing lock will be constructed to allow for continued use of the waterway during demolition of the existing lock. Mooring facilities will then be constructed in the channel where the old lock was situated. This construction plan effectively addresses the three categories of project impacts that are of most concern to the affected community:

1. Residential Dislocation.

The North of Claiborne Avenue plan requires that **NO** residential structures be acquired for either lock or bridge construction. However, some residents directly adjacent to the St. Claude Avenue approach ramp may choose to be temporarily relocated during construction of that bridge.

2. Construction Noise.

Virtually all of the adjoining community, except for the areas directly adjacent to the St. Claude Avenue bridge approaches, will be spared the unacceptable levels of construction-related noise. Plate A-3 shows the potential noise impacts (worst case scenario). This is made possible by the following features of the construction plan:

a. The prefabricated, float-in design of the lock will reduce on-site construction noise that is associated with the lock chamber

construction. The prefabrication technique also reduces the duration of on-site construction.

b. The concrete lock design will require constructing the lock on a pile foundation. However, noise will be significantly reduced by the use of new pile driving techniques (a vibratory hammer above the water surface and a hydro-hammer below the water surface where most of the pile driving will occur).

c. The location of the lock construction site on the Industrial Canal, north of Claiborne Avenue, will be sufficiently removed from residential areas so that, with additional noise-suppression measures on-site, most residents should not be exposed to unacceptable levels of construction-related noise. (The closest residence is about 1200 feet from the construction site.)

d. The Claiborne Avenue bridge will not be replaced under the tentatively selected plan. Instead, only the lift-span will be replaced and the towers will be raised. This avoids all pile driving associated with construction of new bridge approaches (See Volume 3, Engineering Investigations for more details).

e. Contractors have the technical capability thru noise suppressors and the contractual obligation to ensure that all construction noise does not exceed specific, measurable levels at identifiable distances from the construction site.

### 3. Traffic Congestion.

Traffic congestion will be experienced for a shorter period of time through the following features of the construction plan:

a. As a result of the public comment period, a temporary bypass bridge will be constructed at St. Claude Avenue to detour traffic during construction of the new bridge. It will be located adjacent to the existing bridge and will have the same lane capacity as the existing one (See volume 3, Engineering Investigations for more details). This, with the innovative construction methods being used at Claiborne Avenue that will reduce any closure to a couple of weeks, will essentially eliminate the need to close these two heavily traveled arteries which serve as commuter routes and hurricane evacuation routes for St. Bernard Parish. Some traffic impacts will remain, but the major impact, complete closure of these bridges for long periods of time, is eliminated.

b. The new bridge at St. Claude Avenue will be designed to accommodate light rail (streetcars) at some future point in time. The existing bridge did have them at one time, and there has been some discussion in recent years of reintroducing street cars in parts of the city where they once existed. This could be a

catalyst for redevelopment of improved, more efficient public transportation. It should be noted, however, that only rails will be provided on the bridge and approaches. Full implementation of streetcars across the IHNC, at St. Claude Avenue, is not part of the mitigation plan.

c. The location of the construction site north of Claiborne Avenue will allow the creation of a construction staging area on the west side of the Industrial Canal that is isolated from residential areas. Specific routes for construction-related traffic will be assigned; thus, traffic congestion within the adjacent community will be further reduced.

## **IMPACT AVOIDANCE**

Impact avoidance refers to actions taken by the Corps that are designed to avoid adverse construction impacts and which represent prudent and innovative engineering design and construction practice. These actions are incorporated into the construction plan and are required because construction will be taking place in an urban environment.

Included in the construction cost of the project, but not in the community impact mitigation plan are the following impact avoidance measures, listed by impact:

### **1. Noise.**

a. Conduct a pre-construction pile test using a variety of pile drivers at selected locations in order to measure noise levels and delineate the area exposed to an "unacceptable" level of noise which is defined as the 65 Ldn contour (or comparable level).

b. Include a provision in the contract specifications limiting noise to certain levels at given distances from the construction site.

The standard would generally allow no "unacceptable" noise levels attributable to lock or bridge construction to invade residential areas. With respect to the St. Claude Avenue bridge approaches, the standard would limit the exposure to high noise levels (above 65 Ldn or equivalent) to those structures adjacent to the construction site, if the total elimination of noise is not possible. While the contractor would be given discretion in the manner of compliance with the standard, the form of compliance would likely include the employment of specialized, quieter equipment, remote deployment or isolation of some equipment, and the placement of baffle walls or other sound absorption devices.

c. Include contract specifications to verify the containment of noise levels. Contractors would be required to use noise monitoring equipment to verify adherence to contract specifications

that limit the unacceptable levels of noise at given distances from construction sites.

d. Contract specifications will require the use of a vibratory hammer or other pile driving equipment that is designed to minimize noise emissions. This will depend somewhat on the results of the pile tests previously mentioned.

Recognizing the adverse impacts associated with pile driving with standard equipment within an urban environment, the construction industry and construction equipment manufacturers have, in recent years, modified pile driving technology. Specialized pile drivers significantly reduce noise, particularly for jobs that require relatively small piles as is typically required for the construction of floodwalls and bridge approaches.

e. Designate specific routes for construction-related traffic away from residential and commercial areas and designate locations for construction staging areas away from heavily populated areas.

## 2. Transportation.

a. Specific routes for construction-related traffic would be designated in order to avoid congestion. (See 1e above)

b. Repair damage to roads caused by any and all construction activities.

c. A temporary bridge at St. Claude Avenue will be constructed (See para 3a. in the preceding section).

d. Appropriate detour signage will be erected in order to preserve access to local streets during periods when individual streets may be closed due to utility relocations.

e. Interference with neighborhood traffic by construction employee-related traffic will be relieved. An area on the east side of the Industrial Canal (not yet specified) will be constructed for the construction workers associated with the levee and floodwall construction. This area will be fenced in and patrolled by security personnel. A shuttle service will be provided to transport workers from the parking area to the construction sites. A cleared area on the west side of the Industrial Canal at Galvez St. will serve as the dedicated parking area for the lock, bridge, and levee/floodwall construction on that side of the Canal. This area will also double as the staging area for the lock construction.

d. Contract specifications will require that as much material and equipment as possible be moved by barge. This will include demolition debris from the east side buildings, the Galvez Street Wharf, the U.S. Coast Guard Station, and the existing lock.

### 3. Aesthetics.

a. The area between the new lock and the existing levee protection system and between Claiborne Avenue and Florida Avenue will be backfilled after the navigation bypass channel is no longer needed. The backfilled area will be protected by tying the lock walls to the Claiborne Avenue and Florida Avenue bridges on the east side and the Claiborne Avenue bridge on the west side. This green space would add much needed open space to an area of dense urban development. Within a limited portion of the newly created area, open fields, ball fields, bike/walking paths, playground facilities, and tot lots are options available for possible development if an appropriate non-Federal agency is willing to operate and maintain such facilities. The specific plan for development of the area will be addressed in a future design document. Community and neighborhood interests will be consulted during the detailed planning for this open space. Landscaped areas with sidewalks, benches, and water fountains are ancillary facilities that can be developed to complement the primary development.

b. Improve or add lighting along designated detour routes, including both existing streets and new routes. This lighting will improve night time aesthetics and offer added safety and security for adjacent residents.

c. Areas around levees, floodwalls, and bridge approaches will be landscaped. Various species of trees, shrubs, and ground cover will be used. Flowering trees and shrubs will be planted in areas where structural elements such as bridge approaches and floodwalls are to be constructed. Vegetation will soften visual impacts associated with these construction elements within the neighborhoods.

d. Textured surfaces will be used on the exteriors of floodwalls, bridge approaches, and bridge piers. These textured surfaces will add visual appeal and interest to concrete surfaces viewed by neighborhood residents. Interesting shadow patterns and textured variety will improve aesthetic design quality.

### 4. Air Quality.

Contract specifications will include a requirement to comply with Federal and State Air Quality Standards and preserve air quality within specified levels.

The contractor will be required to monitor air quality levels in order to verify compliance. Measures to preserve air quality may include the wetting of levees and construction roads, mesh barriers, and other appropriate measures in order to reduce dust.

## 5. Safety.

Safety will be emphasized throughout construction of the project. The following specific measures will be included:

a. Media notices will be issued to ensure that local citizens are apprised of construction activities.

b. Lighting will be installed at all construction sites, as might be appropriate.

c. Signs, markers, and fences will be erected at construction sites.

d. Contract specifications will require that contractors arrange for barriers and /or evening security patrols in order to isolate potential hazards at the construction sites and to discourage theft and vandalism.

## 6. Cultural Resources.

A recordation program to document structures with historical significance will be accomplished in consultation with the State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation, and the New Orleans Historic Districts Landmarks Commission.

The IHNC Lock, the Galvez Street Wharf, and the St. Claude Avenue bridge are eligible for inclusion on the National Register of Historic Places. Mitigation for removal of these structures consists of preparing a permanent historical record of their structural and architectural features. The lock and bridge will be documented to meet standards of the Historic American Engineering Record (HAER). Consultation with the HAER has determined that the appropriate level of documentation is HAER Level II. HAER Level II documentation consists of engineering drawings, photographs of the structures, and written documentation of the structures and their history. The Galvez Street Wharf is also eligible for the National Register of Historic Places and will also be documented to HAER standards.

The tentative selection of the North of Claiborne Avenue plan effectively eliminates most of the project impacts on the Holy Cross and Bywater Historic Districts.

## 7. Structural Damage from Construction Activities

As with any large scale project, the possibility exists that damage may result from vibration caused by construction activities. To minimize claims to the Corps and to insure proper reimbursement for any damage that may occur to the residents, a video/photo documentation program will be implemented to establish existing

conditions at the beginning of the construction period. This will help prove if any claims resulting from construction activities are legitimate. All legitimate claims will be paid out of construction contingency funds.

## **DIRECT IMPACT MINIMIZATION**

Direct impact minimization refers to actions taken by the Corps to minimize those adverse direct impacts which remain following the implementation of the impact avoidance procedures that are described in the previous section.

The direct impact minimization plan consists of the following measures, again listed by impact:

### **1. Noise.**

Any residential or commercial structures that lie within high levels of noise (above 65 Ldn) will be soundproofed to the extent possible. It may not be possible to entirely eliminate all high noise levels under normal procedures. It is estimated that about 150 housing units would be impacted by noise from bridge construction. Soundproofing measures could include installing insulation where needed or adding air conditioning so houses will not have to be opened during construction.

The hours of pile driving and heavy truck hauling on designated routes will be restricted to no more than 10 hours per day and not at night.

Pile driving for the new low-level St. Claude Avenue bridge will be scheduled during the summer to minimize noise impacts on schools.

Temporary relocation of residents during periods of high noise related activities may be required. This will be optional for residents immediately adjacent to the construction activity, especially adjacent to the St. Claude Avenue bridge approaches.

### **2. Transportation.**

a. Traffic signals will be synchronized to facilitate traffic movement across the Industrial Canal. In addition, a minimum of four computerized message boards, located on St. Claude and Claiborne Avenues on both sides of the canal, will be erected. These message boards will help inform commuters of problem areas before they encounter the minor congestion that is still expected because of the perception of the motorists that "temporary bypass" automatically means congestion.

b. An Incident Management Plan (IMP), which includes a police detail and two trucks that operate on standby during peak traffic hours for accident reporting and response, will be implemented. This plan will be in force during periods of the temporary bridge

usage at St. Claude Avenue and the short closure period at Claiborne Avenue for the same reason as described in paragraph a. above.

c. Local streets that will serve construction-related traffic will be resurfaced prior to initiation of project construction. Site specific plans will be determined during future studies. Maintenance of these streets during the project construction period will also be provided.

d. With a new, low level bridge at St. Claude Avenue and with the predicted increase in marine traffic with the project, one can expect that, in the long term, the new bridge will have to be in the open position for longer durations than the without-project condition. This would increase traffic delays, thereby increasing vehicular exhaust emissions and, therefore, increase air pollution in the area. To mitigate for this, the new bridge and approach ramps (Poland Avenue to Reynes Street) at St. Claude Avenue will include light rail for streetcar use. The Regional Transit Authority's (RTA) long term plans include providing street car lines to the Orleans-St. Bernard Parish Line along this roadway. The provision of streetcars and operation and maintenance thereof will be the sole responsibility of the RTA or some other agency.

e. We are replacing the existing center lift-span of the Claiborne Avenue bridge at the same elevation as the existing bridge. We are not building a new replacement bridge because that would require residential relocations. When the existing lock is demolished, Mississippi River levels will be experienced under that bridge. This will mean that the vertical clearance under that bridge will be less than existing conditions for many river conditions (an average of 5 feet less clearance). If marine traffic increases as predicted, the new bridge will be in the opened position a greater percentage of time than the without-project conditions. The closure of this roadway for 2-4 weeks during construction will also cause impacts to the vehicular traffic.

In addition, the St. Claude Avenue bridge was previously intended to be replaced with a mid-rise bridge. However, the immediate neighborhoods, Holy Cross and Bywater, were concerned about the negative impacts that would have resulted from the existence of an elevated roadway. For this reason, a low-level bridge was selected for the St. Claude replacement bridge. The local residents accepted the greater disruption of vehicular traffic for the avoidance of what they perceived as a blighting influence. Another group of bridge users commute across that bridge from St. Bernard Parish. They will not receive the aesthetic benefits from the low-level bridge, but they will be negatively impacted by the longer travel times resulting from the choice of the low-level bridge.

Finally, even though a temporary bridge will be provided at

St. Claude Avenue there still will be a 3-4 month period of reduced capacity (only 2 lanes instead of 4) at that location when the bridge approaches are tied-in to the existing approaches.

These three factors will cause varying degrees of traffic congestion during and after construction that will impact the vehicular traffic access across the Industrial Canal. For these reasons, linking West Judge Perez Drive and St. Bernard Highway in St. Bernard Parish to the new high-rise vehicular bridge at Florida Avenue (being proposed by the State of Louisiana, Parish of St. Bernard, and the City of New Orleans) with a new, permanent roadway through an undeveloped tract in St. Bernard Parish will be included in the mitigation plan. This will provide a more efficient plan for the dispersion of traffic across the Industrial Canal for the commuter traffic coming from St. Bernard Parish during and after the construction of this project. Also, a more effective hurricane evacuation route plan would be provided with this new roadway. The construction of this new roadway will help reduce traffic congestion in the Lower Ninth Ward area, especially along Caffin Avenue and Tupelo Street. These are major streets within residential areas that would probably be used as detours in lieu of the new roadway in St. Bernard Parish. If, in the future, funds are appropriated by the State of Louisiana or other Federal or Non-Federal sources for an elevated roadway along Florida Avenue connecting the new high-rise bridge at Florida Avenue to Paris Road (I-510) in St. Bernard Parish, and if this elevated roadway is constructed before the new roadway is built for this project, then the amount included in the mitigation plan for this new roadway could be used, at the discretion of the local interests in St. Bernard Parish, for the elevated roadway connection.

### 3. Cultural Resources.

a. One or more components of the lock and/or bridge will be salvaged. These components will be selected after study by a civil engineering historian of technology to determine which elements of the structures will serve as the best representation of historic character. The artifacts will be appropriately conserved to prevent deterioration. They will be displayed in an appropriate setting to display the history of the structures to visitors.

b. A brochure addressing various historical features of the existing lock and bridge as well as significant historical attributes of the surrounding community will be published. This brochure will be prepared by historians and technical writers. It will be illustrated to convey the history of the area to visitors. This brochure may be featured in a visitor information facility at the lock or at other suitable locations for distribution.

c. The existing lock and bridge will be commemorated with markers similar to those used at historic sites throughout the

United States. A display discussing the lock and bridge and illustrating important aspects of their history will be constructed at an appropriate location. That location could be the open space created by the project or another suitable area.

d. Oral histories of residents of the neighborhoods to preserve the history of the area around the IHNC will be prepared. Interviews will be conducted with knowledgeable residents of the area, transcribed, and deposited in repositories in the neighborhood.

e. The study entitled "The Holy Cross Neighborhood: Planning for Community Development" prepared by the College of Urban and Public Affairs at the University of New Orleans in 1995 identified a neighborhood goal and priority of developing a port or maritime museum in the neighborhood. While it is unlikely a museum can be built with this project, a large display concentrating on maritime history would be constructed in the area. The display would interpret the history of navigation in New Orleans and the south Louisiana area. It could incorporate some part of the mechanism of the existing IHNC Lock in the interpretive program.

#### 4. Aesthetics.

a. An attempt will be made to transplant some of the better trees from the oak grove adjacent to the existing lock to nearby available public lands within the community. Due to the age, size, and condition of these trees, no guarantees of success in transplanting can be made. In addition, new plantings will be made to replace the trees removed from this area.

b. A walk/bike/jog path on or near the levee and/or in close proximity to the floodwalls will be constructed to replace lost opportunities. The existing levee currently enjoys significant use by joggers, walkers, and bicyclists. This path will have a 10-foot wide asphalt surface to promote two-way bicycle traffic. An additional 5-foot wide pedestrian lane or sidewalk will parallel the bikeway. Extending this path to Chalmette in St. Bernard Parish along the Mississippi River levee, with connections to existing paths where feasible, will also be included. Ancillary facilities such as benches, trash receptacles, and water fountains will be installed along the route. This corridor will be safely isolated from vehicular traffic by the use of bollards or plant materials in areas of possible conflict.

c. Observation decks on the floodwall (with interpretive displays) will be constructed to preserve current opportunities associated with the levee. These observation decks will be constructed on the top of the floodwalls. Benches will be installed at regular intervals giving users a place to sit or rest while watching waterborne activity.

d. Lighting will be provided and green space created for any additional vacant areas created by reconstruction of the St. Claude Avenue bridge approaches. The lighting will improve night time aesthetics and offer improved safety and security to residents.

e. Public rights-of-way along existing routes will be landscaped. This will beautify the area, serve as a visual buffer, and help dampen noise. Flowering trees and shrubs will be used to offer the maximum diversity and aesthetic benefits.

#### 5. Employment.

Changes may occur in the level of employment for the two commercial enterprises that would be required to relinquish their leases from the Port of New Orleans for property located on the IHNC. Furthermore, even though contractors will be required to hire locally, if they are not properly trained, the local residents will not be hired. A program to expand the skilled labor workforce within the affected community will be established in order to meet the requirements of the Water Resources Development Act of 1986, which states that we make a maximum effort to assure full participation of locals in the construction of the project.

Citizens who meet local residency requirements would be eligible for tuition grants for training at existing vocational-technical or similar type schools in skills that will be required in project construction. Contractors would be required to give preference to hiring any fully-qualified residents within the community. Hiring preferences would replace quotas as the means to ensure inclusion of properly trained local residents in the project workforce.

#### 6. Business and Industry.

Commercial establishments, schools, and landlords that experience an actual demonstrated decline in sales, tuitions, and/or rents during the period of bridge restrictions will be provided monetary compensation. Compensation will be determined on a case by case basis. The procedures and criteria for payment and settlement are to be established prior to initiation of construction.

#### 7. Safety

Additional school crossing guards will be provided on each side of the canal, where required, to provide necessary safety for the students during the residual congestion and detoured traffic that will occur during bridge construction periods. In addition, traffic control officers will be provided to facilitate traffic flow through the bridge construction areas.

## INDIRECT COMPENSATION OF IMPACTS

Indirect compensation of impacts refers to actions taken by the Corps, or the local project sponsor, in cooperation with local government, community groups, and residents to alleviate those adverse impacts which remain following the implementation of both the impact avoidance procedures and the direct impact minimization measures that were previously described. The intent of this category of mitigation measures is to make the neighborhood whole and able to withstand the impacts of project construction activity for the long duration of those activities. The major impacts are as follows:

### 1. Noise.

Very high levels of construction-related noise are limited to residents and businesses that are adjacent to the St. Claude Avenue bridge approaches. Under a worse case scenario, approximately 151 housing units in the vicinity of the St. Claude Avenue bridge approaches could still be impacted by high noise levels, even with soundproofing.

### 2. Transportation.

Most adverse impacts to the surrounding community will occur during periods of bridge construction. Delays to local and commuter traffic, public transportation, school traffic, and emergency vehicles will be created by this bridge construction. The extent of these delays are significantly diminished with the temporary bridge at St. Claude Avenue and the reduction of the closure at Claiborne Avenue to a couple of weeks by using innovative construction methods.

However, residual delays and congestion may still occur that will be caused by the perception of motorists that any construction area and/or "bypass" situation automatically means problems. They will still detour through neighborhoods causing traffic congestion in residential areas and at the many school locations in the area. Pedestrian traffic across the canal may still be restricted during construction at St. Claude Avenue. Detoured traffic during the bridges' construction will also reduce the extent to which

residents and motorists can access some local businesses and public/community facilities.

### 3. Aesthetics.

The replacement of the single bascule bridge with a double bascule bridge at St. Claude Avenue, the reconstruction of the bridge approaches on St. Claude Avenue, the raising of the towers on the Claiborne Avenue bridge, and the incorporation of floodwalls into the levee in some areas along the IHNC where there are no

levels at present will permanently alter the current aesthetic character of the neighborhoods within the study area. All project features will consider the appropriate use of textured surfaces, landscaping, appropriate paint selection, pedestrian circulation, and public use facilities. However, some consider change to the present aesthetic nature of the area is undesirable, so additional measures would be needed to compensate for this impact.

#### 4. Community and Regional Growth.

Residual construction noise, some bridge restrictions during construction, and residual traffic delays coupled with the extended construction period could reduce the overall desirability of living in the affected neighborhoods. Again, the perception that construction activities and detour situations for the duration of the bridge construction will automatically mean undesirable, will also act as a deterrent to community growth. In general, these are considered short-term impacts.

Increased durations of the bridges being in the open position after construction, when navigation traffic increases, may have a more permanent impact to the growth in the area.

#### 5. Community Cohesion.

Bridge restrictions and residual noise from construction activities will probably disrupt some of the routine activities of residents such as shopping, visiting with neighbors, walking in the area, and sitting on the front porch.

The residual project impacts indicated above cannot be avoided or mitigated in full and cannot be measured accurately. Therefore, a program of general compensation is required in order to restore to the community an equal level of well-being that existed prior to project construction. The Port of New Orleans, as the local project sponsor, will assist the Corps in implementation of the following elements of the compensation required for these residual impacts:

a. The Port will work with displaced lessees on the IHNC to encourage them to relocate in Orleans Parish. Incentives offered might include new leases on other Port-owned property on concessionary terms. This will help maintain tax revenues for the City of New Orleans, which could be used in the future for further improvements in the area.

b. A program of street resurfacing, and drainage improvements within an area, yet to be determined, on each side of the Industrial Canal will be implemented.

c. Seed money will be provided to establish a business assistance program in the area to serve as a stimulus for local business development. This program will help create new businesses, help existing businesses expand, provide high-tech educational facilities, create new jobs and preserve old ones, and help revitalize the neighborhoods adjacent to the project in the Ninth Ward. This will be implemented in conjunction with the City of New Orleans and/or one of the local universities, and any existing similar type programs.

d. Seed money will be provided to establish a Neighborhood Revitalization Program which will serve as a source of money for a program of housing rehabilitation and acquisition. The program would also sponsor programs for educating local residents on maintaining their housing. This program could be administered by already established local agencies such as the New Orleans Department of Community Development, neighborhood community development corporations, or other appropriate agencies. Existing programs such as "Rebuild New Orleans", "Habitat for Humanity", and "Christmas in October" are potential avenues that can be used for this purpose. Using these existing programs will help expedite the implementation of this mitigation measure. Also included in this item would be clearing of vacant lots and constructing new housing on those lots, lighting improvements throughout the area, especially under new and existing bridge approaches, and demolishing existing dilapidated housing and rebuilding on the site. This would help continue the efforts of the local interests to upgrade the quality of life in the area and maybe move toward a

"Model Community" concept that was suggested at the public meeting.

e. Community facilities, at appropriate locations within each of the neighborhoods, such as supervised playgrounds, community gardens, tot lots, and linear parks, will be provided in conjunction with existing local programs during the construction of the project. Facilities developed as part of this feature will be turned over to non-Federal interests for incorporation into existing programs. This will help offset some of the lost opportunities foregone as a result of the project and provide a safer supervised replacement.

f. Crime is of the utmost importance to all of the residents in the surrounding communities and increased police presence in these areas has proven to help reduce crime and improve the quality of life. The same can be said for emergency medical services. During project construction, the mitigation plan will provide funds to the City of New Orleans Police Department and local emergency medical providers so they can provide increased services to these areas. This would compensate for impacts to community cohesion, property values, and community growth.

#### **PUBLIC COORDINATION OF THE MITIGATION PLAN**

In an effort to disseminate information in the community, the Port of New Orleans in coordination with the Corps of Engineers, established a community presence in the project area with the opening and staffing of a project information office in the Sanchez Building, located on the corner of Caffin Avenue and Claiborne Avenue, in the Lower Ninth Ward. The purpose of the office was to afford residents of the affected community the opportunity to obtain pertinent information about the proposed project. This office also served as a repository for prior studies, reports, and other information about the lock replacement project. Every effort was made to have this office opened at times convenient to local residents, including nights and Saturdays. Exhibit VI contains an editorial that appeared in the Times Picayune (New Orleans' only major newspaper) on September 4, 1994, when the office became operational. In addition, an information display was established in the Alvar Street Branch Library on the west side of the canal.

The mitigation plan was presented to the community at large in January 1995. Approximately 25,000 brochures were mailed to local residents in an area from Elysian Fields to the Orleans-St. Bernard Parish line, announcing the two public meetings to discuss mitigation for the lock replacement project. The first meeting was held at the St. Vincent de Paul cafeteria on the west side of the IHNC on January 3, 1995. The second meeting was held at the Jackson Barracks Military Museum Auditorium on the east side of the IHNC on January 10, 1995. A total of about 250 people attended the two meetings. About 85 people attended the first meeting held at the St. Vincent dePaul Community Center, and about 165 people

attended the second meeting held at the Jackson Barracks Military Museum Auditorium.

In spite of the presentation of the construction sequence for the lock project and a presentation on the mitigation measures being considered, neighborhood residents who spoke at the meetings were strongly opposed to the lock replacement plan and offered only a limited number of pertinent concerns in the way of constructive criticism on the mitigation feature of the plan. Local elected officials also expressed their opposition to the overall project at these meetings. The key issues are summarized in Exhibit VIII. The article concerning the IHNC Lock meetings that appeared in the Times Picayune on January 11, 1995, is also included in Exhibit VIII following the key issues.

The community had another opportunity to voice their concerns when the draft evaluation report for the project was released to the public on December 5, 1996. At that time all stakeholders, including navigation, community, city and state interests, had the opportunity to be heard. A formal public meeting, held on January 27, 1997 and the subsequent public comment period, allowed concerned citizens and organizations the opportunity to express their views either orally or in writing. See Volume 9 for more details.

The Corps and Port will continue an information program within the community to ensure that local citizens will be kept apprised of project activities and status. Another project office will be established in the community before construction begins.

## **PLAN FLEXIBILITY**

As with any large scale public works project spanning several years, flexibility is required to accommodate changes in conditions, particularly changes which cannot be anticipated. To accommodate changing conditions, the Corps and project sponsor are committed to allow maximum flexibility within the scope of the resources that are made available. It is intended that some of the programs initiated under auspices of the mitigation plan of the project could continue to exist even after the project is completed, with funding coming from other sources outside of the project. Funding sources could include other Federal, state, or

local programs. This is particularly true of programs implemented under the compensation features previously discussed.

It is also possible that even some of the items identified in this plan could change as conditions change. It is intended that given community support, some items might even be substituted for items currently proposed.

Coordination with local stakeholders will continue to occur during future design studies and throughout the construction phase. Funding of any newly identified mitigation features not currently identified would be from project contingencies. See subsequent

section entitled "IMPLEMENTATION" for description of a Partnering Agreement that will be used to achieve this continued coordination of the community impact mitigation plan.

#### MITIGATION PLAN COSTS

Authorized cost for the community impact mitigation plan, which is included in the overall cost for the recommended plan, is \$33,000,000. A breakdown by mitigation type is as follows:

Direct Impact Minimization	\$17,500,000
Indirect Compensation of Impacts	<u>15,500,000</u>
Total	\$33,000,000

Detailed impacts include noise, transportation, cultural resources, aesthetics, and employment. Other impacts that will be indirectly compensated for include property values, community and regional growth, business impacts, and community cohesion. The scope and costs for the individual items in the community impact mitigation plan were developed based on a qualitative comparison of the severity of the impact to the value of the mitigation measure. No definite comparison of the value of the impact to the cost of the specific mitigation measure can be accurately made. Historical data to use as a basis for determining the amount of mitigation required for impacts to the human environment is not available, as it is for mitigation of the impacts to the natural environment. Coordination with local trade schools, business development offices, city agencies/officials, and other agencies assisted in the determination of the estimated costs to use for those items about which the Corps has limited experience. A mitigation study was completed by Gregory C. Rigamer & Associates Inc. in 1991 was used as a source for determining the costs of the mitigation plan. Also taken into consideration was the fact that approval of the community impact mitigation plan had to be received from HQUSACE and the Congress before implementation can be accomplished.

Actual costs and scope of each mitigation item could differ from those shown depending on conditions prevailing at the time of project execution and in some cases actual demonstrated losses in revenue. A breakdown of costs by category is included on page 36 of this appendix. A future design memorandum will be prepared, with the assistance of the oversight committee and the Partnering Agreement discussed in the subsequent section entitled "IMPLEMENTATION", to further detail the features of this mitigation plan.

## **COST SHARING**

Costs for mitigation features will be treated the same as other project construction costs for cost-sharing purposes. All of the mitigation features will be required no matter what type of lock is built. So all of the features will be allocated to the shallow draft increment and be shared 50-50 between the Corps and the Inland Waterway Trust Fund. Operation and maintenance of improvements resulting from the community impact mitigation plan will be the responsibility of an appropriate non-Federal interest, not necessarily the Port of New Orleans.

## **IMPLEMENTATION**

The implementation of the proposed community impact mitigation plan will begin prior to actual construction of the project and continue during the construction period. Pre-project mitigation will be initiated after construction appropriations are approved. The intent here is to ensure that the neighborhoods adjacent to the project construction area remain viable during construction of the project. Elements of this mitigation plan such as the business assistance program, housing revitalization fund, and job training, would be implemented during the pre-construction period. Some of the indirect impact compensation elements could, depending on the availability of funds, continue even after the project is completed.

To ensure that the mitigation plan is effectively implemented with full consideration and coordination with the neighborhoods, a neighborhood oversight committee will be established to oversee implementation of the mitigation features. Representatives of the affected neighborhoods that reside in the area will serve on the committee. In addition, specialists and/or professionals working on specific community issues will also be invited to assist the committee as advisors. The New Orleans City Council members representing each side of the canal, city agencies, local elected officials, and representatives from St. Bernard Parish will also be invited to participate. This represents a framework of a process that could be used. Details of this committee will be finalized during future coordination that would continue through the design and construction phases of this project.

A Partnering Agreement will be entered into by this committee. This agreement will include a commitment by all on the committee to continue to work together for the benefit of all of the local stakeholders and to determine the best way of expending these community improvement funds recommended in this mitigation plan.

## CONCLUSION

This appendix has demonstrated two important conclusions of the mitigation planning for this lock replacement project. First, the Corps' open planning process and resulting recommended plan complied with both the spirit and letter of the Congressional guidance provided in conjunction with the FY 1991 Appropriations Act. Compliance was demonstrated by the following actions:

1. Establishing a community participation mechanism that informed the community about the planning process and allowed the community to have a voice in that process;

2. Developing a community participation mechanism and proposing a Partnering Agreement that will continue to give the affected people a voice in the ultimate expenditure of the mitigation funds;

3. Developing a comprehensive plan to identify and mitigate, to the maximum extent practicable, any adverse social and cultural impacts of the project and ensuring that all of the communities affected by the project remain as complete, liveable neighborhoods during and after construction of the project;

4. Following Federal historic preservation policies in evaluating the impact of the lock replacement project;

5. Incorporating requirements in contract specifications which require "full participation of minority groups living in the affected areas" in constructing the lock project; and

6. Eliminating residential dislocations and minimizing business disruptions while meeting the goal of improving waterborne commerce.

The community impact mitigation plan, which is an integral part of the IHNC Lock Replacement Plan, represents a departure from traditional Corps of Engineer environmental analysis and mitigation planning, but it is required because of the unique urban environment in which this project is located. It is consistent with the requirements of NEPA (PL 91-190), Section 122 of the River and Harbor Act of 1970 (PL 91-611), and other essential considerations of national policy including Executive Order 12898 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations).

Second, the recommended mitigation plan restores and perhaps marginally enhances the quality of the human environment in the project area and minimizes and/or compensates for adverse impacts upon the quality of the human environment to the extent that is practicable.

The area most affected by construction of the replacement IHNC

Lock, encompassing the Holy Cross, Bywater, St. Claude and Lower Ninth Ward neighborhoods, is an old, historic area of the City of New Orleans. Construction of this project at the North of Claiborne Avenue site will not relocate any residential units in the area, but will still have impacts on this area. Implementation of an approximately \$500 million major civil works project like this will have impacts on any area, but will impact an area like the one being impacted by this project to an even greater extent because of the history of the area.

Construction of this project will take place in a 10-12 year period and that is bound to have impacts on two of the main strengths of the area, its strong neighborhood atmosphere and community cohesion. The magnitude of the impacts of this project on the affected areas may cause these strengths to become weaknesses. Implementation of this mitigation plan is essential to help prevent that from happening from the construction of the lock replacement project.

There has been a national effort to improve neglected urban areas in major metropolitan areas with the development and funding of programs such as the Community Development Corporations, Habitat for Humanity, and Empowerment Zones. Completion of this mitigation plan, in conjunction with the lock replacement, will assist that effort by doing things that could have been funded by these programs, thus freeing up those programs' funds to do more to improve the neighborhood.

In this regard, the Holy Cross and Lower Ninth Ward neighborhoods have established some goals for their communities to improve the quality of life for themselves. These goals are outlined in two separate reports prepared by the College of Urban and public Affairs at the University of New Orleans through citizen participation processes. These reports are: (the Executive Summaries of these are at Exhibits IX and X)

a. "Citizen Planning for Community Development in the lower Ninth Ward", dated May 1996; and

b. "The Holy Cross Neighborhood: Planning for Community Development", dated 1995.

We strongly believe that the project construction as presently planned will not inhibit these plans and that many of the mitigation items outlined in this appendix will assist these neighborhoods in achieving the goals they have set for themselves. Their participation in the community participation process and the Partnering Agreement proposed in this appendix will allow them to accomplish, in part, these improvements.

Furthermore, a project of this magnitude located within the City of New Orleans will create tremendous economic development and activity for the City. This can only help to gain approval from the Department of Housing and Urban Development for establishing "Empowerment Zones" in the City. This designation could mean up to

\$100 million in Federal grants and up to \$250 million in tax incentives for over 10 years coming to the City of New Orleans, which it did not receive in the 1995 selection process. The Clinton administration has recently asked Congress to approve another round of this type of grants.

The affected neighborhoods will bear the brunt of the inconveniences and disruptions to normal life styles and will not materially benefit from the completion of the lock replacement project. It is fairly certain that the construction of the project without mitigation would in all likelihood deal a significant blow to the possible resurgence of this historic part of the City of New Orleans. In accordance with the Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies, the mitigation plan, as presented, represents appropriate mitigation of the adverse impacts of the lock replacement project. The plan also fulfills the requirements of the specific Congressional guidance for this project.

**SUMMARY COST ESTIMATE  
COMMUNITY IMPACT MITIGATION PLAN**

**DIRECT IMPACT MINIMIZATION**

Soundproofing Residential Structures	\$1,336,000
Synchronized Traffic Signals	79,000
Computerized Highway Message Boards	375,000
Incident Management Plan	295,000
School Crossing Guards	41,000
Traffic Control Officers	286,000
Cultural Resources (Brochure Publication)	75,000
Salvaging and curation of Bridge/Lock component	156,000
Historical Markers (Includes street signs)	16,000
Cultural Display (Old Lock)	200,000
Temporary Relocation of Residents (St Claude Bridge)	70,000
Transplant oak trees from existing lock	300,000
Walk/Jog/Bike Path Along New Floodwall	500,000
Observation Decks, Displays, Comfort Stations and Drinking Fountains (3 each) on and along floodwalls	123,000
Training Assistance	1,500,000
Rail Line on St. Claude Bridge	100,000
New Roadway in St. Bernard Parish	8,548,000
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Sub-total	\$14,000,000

**INDIRECT COMPENSATION FOR IMPACTS**

Lighting Improvements	\$ 100,000
Community Facilities	1,750,000
Street Resurfacing, Drainage Improvements, and Landscaping	8,500,000
Business Assistance Program	750,000
Neighborhood Revitalization Program	5,900,000
Additional Police/Emergency Medical Services	2,000,000
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Sub-total	\$19,000,000

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<b>TOTAL</b>	<b>\$ 33,000,000</b>
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