Mississippi Valley Division,
Regional Planning and Environment Division South

South Central Coast Louisiana

Hurricane Ike flooding in Delcambre, Louisiana 2008.

Appendix A-8 - Executive Order 13807 One Federal Decision Compliance

June 2021

Controlled by: USACE MVD
CUI Category(ies): USACE MVN
LDC or Distribution Statement: FEDCON
POC: Karla Sparks, [redacted]

On January 20, 2021, President Joe Biden signed the *Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*. Section 7. *Other Revocations*, immediately revoked *Executive Order 13807 of August 15, 2017 (Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects)* thus revoking the need for this project to comply with 13807 going forward. The project delivery team kept this appendix intact and up to date (January 20, 2021) as a historic record and in case parts of E.O. 13807 are reenacted prior to the conclusion of this project's planning phase.

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Section 1
Executive Order 13807 One Federal Decision Compliance

Executive Order (E.O.) 13807: *Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects*, was issued on August 15, 2017. It requires Federal agencies to process environmental reviews and authorization decisions for "major infrastructure projects" as One Federal Decision (OFD) and sets a government-wide goal of reducing, to 2 years, the average time for each agency to complete the required environmental reviews and authorization decisions for major infrastructure projects, as measured from the date of publication of a notice of intent to prepare an environmental impact statement.

A **major infrastructure project** is an infrastructure project for which multiple Federal authorizations will be required to proceed with construction, the lead Federal agency has determined that it will prepare an EIS under NEPA, and the project sponsor has identified the reasonable availability of funds sufficient to complete the project.

The OFD directs Federal agencies with a role in the environmental review and permitting process for a major infrastructure project to:

- Develop a single permitting timetable or schedule for the necessary environmental review and authorization decisions;
- Prepare a single EIS;

- Sign a single record of decision;[1] and,
- Issue all necessary authorization decisions within 90 days of record of decision (ROD) issuance.

Based on the size of the study area, recent similar projects in Louisiana, and potential for significant impacts, the US Army Corps of Engineers (USACE), Mississippi Valley Division, New Orleans District (CEMVN) determined this project would qualify as a major infrastructure project as define by OFD. CEMVN also determined the appropriate National Environmental Policy Act (NEPA) documentations would be to prepare an environmental impact statement. For these reasons, CEMVN and agency partners began their OFD compliance activities.

The EO sets a government-wide goal of reducing the average time to complete required environmental reviews and authorization decisions for major infrastructure projects to not more than 2 years from publication of a notice of intent to prepare an environmental impact statement (EIS) to issuance of a ROD prepared under NEPA.

To achieve the 2-year target, the OFD Memorandum of Understanding for Major Infrastructure Projects establishes a coordinated and timely process for environmental reviews of major infrastructure projects. It sets forth the agreement under which agencies will cooperate to complete environmental reviews and make authorization decisions for major infrastructure projects. It describes the permitting timetable milestones and roles and responsibilities for the lead, cooperating, and participating agencies.

1.1 COOPERATING AGENCIES

As soon as practicable after its decision to prepare an EIS and before the scoping process, CEMVN (the Federal lead agency) published a notice of intent (NOI) (§1508.22) in the

[1] The lead agency may grant an exception to the single ROD requirement of E.O. 13807 when Federal law requires the lead agency to issue a combined FEIS/ROD.

FEDERAL REGISTER to prepare an EIS. The NOI was issued on April 2, 2019 (Figure A8:1-1).

On April 10, 2019, CEMVN sent out Cooperating Agency request letters to these agencies

- US Fish and Wildlife Service,
- US Environmental Protection Agency,
- National Oceanic and Atmospheric Administration, and
- Federal Emergency Management Agency (Cooperating Agency letter was sent to FEMA on April 22, 2019)

CEMVN's request letter and response letters are at the end of this discussion.

1.2 PERMITTING TIMETABLE

Within 30 days of issuing the Project's NOI to prepare an EIS in the Federal Register (Figure A8:1-1), CEMVN was supposed to complete their coordination with the Cooperating Agencies:

- US Fish and Wildlife Service,
- US Environmental Protection Agency,
- National Oceanic and Atmospheric Agency, and
- Federal Emergency Management Agency.

The NOI was issued on April 2, 2019. CEMVN and cooperating agencies coordinated project milestones and posted them on the OFD database on June 19, 2019. (https://www.permits.performance.gov/projects). The agreed upon project milestones are listed in Figure A8:1-2 and Table A8:1-1. Figure A8:1-3 provides the Notice of Availability.

Federal Register / Vol. 84, No. 63 / Tuesday, April 2, 2019 / Notices 12601

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Notice of Intent To Prepare a Draft Environmental Impact Statement for the South Central Coast Louisiana Flood Risk Management Feasibility Study

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

ACTION: Notice of intent.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers (USACE), New Orleans District intends to prepare a Draft Integrated Feasibility Report and Environmental Impact Statement (DIFR–EIS) for the Draft Environmental Impact Statement (DEIS) to assess the potential social, economic, and environmental impacts associated with the proposed project titled, South Central Coast Louisiana Flood Risk Management Feasibility Study. The DIFR–EIS documents the existing condition of environmental resources in and around areas considered for development, and potential impacts on those resources as a result of implementing the alternatives.

ADDRESSES: Questions or comments about the proposed action or requests to be added to the project mailing list should be directed to Ms. Carrie Schott, CEMVN–PM–B, U.S. Army Corps of Engineers, New Orleans District, 7400 Leake Avenue, New Orleans, LA 70118, email, *Southcentralcoaststudy@usace.army.mil.* Comments may also be entered at the following web page: *https://www.mvn.usace.army.mil/South-Central-Coast/.*

FOR FURTHER INFORMATION CONTACT: Ms. Carrie Schott, (504) 862–1153.

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

1. *Authority.* The USACE is preparing the DIFR–EIS study under the standing authority of Bipartisan Budget Act of 2018, (Pub. L. 115–123), Division B. Subdivision 1, H. R. 1892—13, Title IV, Corps Of Engineers—Civil, Department Of The Army, Investigations, and H.R. Docket 2767, 20 Sep 2006, Southeast Coastal Louisiana, LA, Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives. The Bipartisan Budget Act authorizes the USACE proposed South Central Coast Louisiana Flood Protection and Coastal Storm Risk Management Project planning and potential construction project. The study phase is 100% federally funded.

2. *Background.* The study area encompasses the Louisiana coastal parishes of Iberia, St Mary, and St Martin. The study area has experienced repetitive storm events including Hurricanes Rita, Ike, Gustav, and Andrew, resulting in loss of life, wildlife, and property, and repeated mandatory evacuation costs. This report will present the proposed alternatives resulting in risk of storm damage reduction to industries and businesses critical to the Nation's economy and protect the health and safety of Louisiana coastal communities.

The study area needs increased sustainability and resiliency to flood events for the affected communities. In addition, the study area's topography, low elevation, proximity to the Gulf of Mexico, subsiding lands, and rising seas, are all contributing factors causing coastal flooding, shoreline erosion and loss of wetlands. Without additional storm damage reduction measures, the people, economy, environment, and cultural heritage of coastal areas in South Central Louisiana are at risk from reoccurring damages caused by hurricane storm surge flooding and riverine flooding.

The USACE will analyze numerous issues in the DEIS related to the effects of any proposed storm damage reduction measures. These issues will include, but will not be limited to, the following: Continued wetlands losses impacting migratory species, the ecological nurseries of the Gulf of Mexico, and various commercial and recreational activities.

The USACE will focus their analysis on the following resources: Aesthetics and visual resources, water quality and salinity aquatic resources/wetlands, invasive plant species fish and wildlife resources, threatened/endangered species and other protected species of concern, cultural & historic resources and tribal trust resources, floodplains, hazardous, toxic & radioactive waste, hydrology, land use, navigation and public infrastructure, socio-economics, environmental justice, soils, sustainability, greening and climate change.

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

Structural measures would include wave attenuation measures adjacent to each measure or closer to the coastal shoreline. Structural measures recommended for consideration currently include:

- *Structural Measure 1:* State Alignment A.
- *Structural Measure 2:* State Alignment B.
- *Structural Measure 3:* Rail Road Alignment.
- *Structural Measure 4:* Existing Levee Improvements.
- *Structural Measure 5:* Ring Levees.

The USACE is also considering nonstructural measures. These include:

- *Non-structural Measure 1:* Buyouts.
- *Non-structural Measure 2:* Wet proofing
- *Non-structural Measure 3:* Dry proofing.

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

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

Figure A8:1-1. South Central Coast Louisiana Notice of Intent

All interested parties are invited to comment at this time, and anyone interested in the DIFR–DEIS should request to be included on the distribution list. The scoping period will extend for 45 days after the date of this Notice of Intent publication. Comments should be as specific as possible. Additional public involvement will be sought through the implementation of the public involvement plan and the agency coordination team. Comments may be mailed, emailed or entered at: *https://www.mvn.usace.army.mil/South-Central-Coast/*.

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

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

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

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 2019–06355 Filed 4–1–19; 8:45 am]

BILLING CODE 3720–58–P

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement for the Amite River and Tributaries-East of the Mississippi River, Louisiana, Flood Risk Management Feasibility Study

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

ACTION: Notice of intent.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), the U.S. Army Corps of Engineers, New Orleans District (USACE) intends to prepare a Draft Integrated Feasibility Report and Environmental Impact Statement (DIFR–EIS) to assess the potential social, economic, and environmental impacts associated with the proposed project titled, "Amite River and Tributaries—East of the Mississippi River, Louisiana, Flood Risk Management Feasibility Study." The DIFR–EIS will document the existing conditions of environmental resources in and around areas considered for construction, and potential impacts on those resources as a result of implementing the alternatives.

DATES: A Scoping Meeting Notice announcing the locations, dates and times for scoping meetings is anticipated to be posted on the project website, *https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/* and published in the local newspapers no later than 15 days prior to the meeting dates.

ADDRESSES: Ms. Kaitlyn Carriere, CEMVN–PMR, Room 331, 7400 Leake Avenue, New Orleans, LA 70118. *AmiteFS@usace.army.mil.*

FOR FURTHER INFORMATION CONTACT: If you have questions or comments about the proposed action or would like to be added to the project mailing list, please call Ms. Kaitlyn Carriere at (504) 862–1798. For additional information, please visit the following *https://www.mvn.usace.army.mil/About/Projects/BBA-2018/studies/*.

SUPPLEMENTARY INFORMATION: The lead agency for this proposed action is the USACE. Louisiana Department of Transportation and Development (LDOTD) is the non-Federal sponsor.

1. *Authority.* The USACE is preparing the DIFR–EIS study under the standing authority of Bipartisan Budget Act of 2018, (Pub. L. 115–123), Division B, Subdivision 1, H. R. 1892—13, Title IV, Corps Of Engineers—Civil, Department Of The Army, Investigations. The Bipartisan Budget Act authorizes the USACE proposed Amite River and Tributaries—East of the Mississippi River, Louisiana, Flood Risk Management Feasibility Study planning and potential construction project. The study phase is 100% federal funding.

2. *Background.* The study area, which includes the Amite River Basin, encompasses an area of approximately 3,450 square miles consisting of 8 Louisiana parishes (East Feleciana, St. Helena, East Baton Rouge, Livingston, Iberville, Ascension, St. James, and St. John the Baptist), Maurepas Lake, and 4 Mississippi counties (Amite, Wilkinson, Franklin, and Lincoln). Over three-fourths of the study area lies in the parishes of southeastern Louisiana, located east of the Mississippi River and north of Lake Maurepas. The upper one-fourth of the study area's drainage area lies in the southwestern Mississippi counties.

The Amite River and its tributaries has caused flood damages to industrial, commercial, agricultural facilities, and residential and nonresidential structures. As recently as August 2016, the President issued disaster declarations for parishes in the Amite River Basin due to impacts from "The Great Flood of 2016". The flood was responsible for 13 deaths and the rescue of at least 19,000 people. The study area experienced historic flooding to thousands of homes and businesses and impacts to the Nation's critical infrastructure because both the I–10 and I–12 transportation system were shutdown for days. Major urban centers in the basin saw significant flooding well outside of normal flood stages.

The Amite River Basin primarily has flooding from two different sources. The Upper Basin flooding is caused from headwater flooding from rainfall events. The lower basin flooding is caused by a combination of drainage from headwaters and backwater flooding

Figure A8:1-1 (con't). South Central Coast Louisiana Notice of Intent

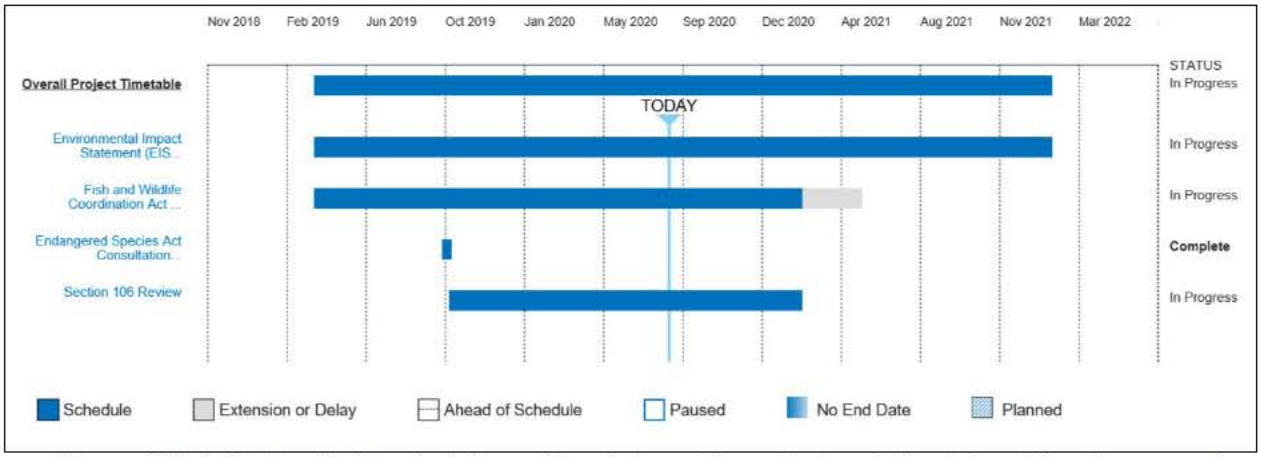


Figure A8:1-2. South Central Coast Louisiana One Federal Decision Timeline as of (09/17/2019)

Table A8:1-1. South Central Coast Louisiana One Federal Decision Permitting Milestones

Milestone	Original Target Date	Current Target Date	Milestone Complete
Environmental Impact Statement (EIS)			
Issuance of Notice of Intent to prepare an Environmental Impact Statement (EIS)	04/02/2019	04/02/2019	Yes
Scoping	11/09/2019	11/09/2019	Yes
Official Notice of Availability of a Draft EIS published in the Federal Register (FR) beginning both the public comment period and concurrent CAA Section 309 Review (Figure 3)	12/02/2019	11/22/2019	Yes
Official Notice of Availability of a Final EIS published in the FR beginning both the public review period and concurrent CAA Section 309 Review	06/02/2021	06/02/2021	In progress
Issuance of Record of Decision or combined Final EIS / Record of Decision	02/05/2022	02/05/2022	In progress
Fish and Wildlife Coordination Act Review			
Initial application received		10/09/2019	Yes
Issuance of decision for permit/approval		02/19/2021	In progress
Section 106 Review			
Consultation initiated with SHPO/THPO	10/09/2019	06/07/2019	Yes
Section 106 consultation concluded	02/19/2021		In progress
Endangered Species Act Consultation (DOI-FWS)			
Request for ESA Consultation Received	12/02/2019	11/22/2019	Yes
Conclusion of ESA Consultation	02/19/2021	09/30/2019	Yes
Endangered Species Act Consultation (NOAA-NMFS)			
Request for ESA Consultation Received	12/09/2019	09/30/2019	Yes
Conclusion of ESA Consultation	02/19/2021	09/30/2019	Yes
Magnuson-Stevens Fishery Conservation and Management Act, Section 305 Essential Fish Habitat (EFH)			
NOAA Initially Contacted Regarding EFH Consultation	12/09/2019	09/30/2019	Yes
NOAA Receives the Complete EFH Assessment to Initiate EFH Consultation	12/09/2019	09/30/2019	Yes
NOAA Issues a Response to the EFH Consultation Request	02/19/2021	10/04/2019	NA*

*NOAA does not respond to EFH No Effect determinations.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ID–7658–001]

Malandro, Michael E.; Notice of Filing

Take notice that on November 15, 2019, Michael E. Malandro, submitted for filing, application for authority to hold interlocking positions, pursuant to section 305(b) of the Federal Power Act, 16 U.S.C. 825d (b), Part 45 of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 CFR part 45.8 (2019), and Order No. 664, 112 FERC 61,298 (2005).

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. On or before the comment date, it is not necessary to serve motions to intervene or protests on persons other than the Applicant.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the eFiling link at *http://www.ferc.gov.* Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426.

This filing is accessible on-line at *http://www.ferc.gov,* using the eLibrary link and is available for electronic review in the Commission's Public Reference Room in Washington, DC. There is an eSubscription link on the website that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Comment Date: 5 p.m. Eastern Time on December 6, 2019.

Dated: November 18, 2019.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2019–25390 Filed 11–21–19; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings 1

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Docket Numbers: RP20–227–000.
Applicants: Elba Express Company, L.L.C.
Description: § 4(d) Rate Filing: EEC Housekeeping Filing—2019 to be effective 1/1/2020.
Filed Date: 11/13/19.
Accession Number: 20191113–5017.
Comments Due: 5 p.m. ET 11/25/19.

Docket Numbers: RP20–228–000.
Applicants: Discovery Gas Transmission LLC.
Description: § 4(d) Rate Filing: 2020 HMRE Surcharge Filing to be effective 1/1/2020.
Filed Date: 11/14/19.
Accession Number: 20191114–5019.
Comments Due: 5 p.m. ET 11/26/19.

Docket Numbers: RP20–229–000.
Applicants: Kern River Gas Transmission Company.
Description: § 4(d) Rate Filing: 2019 ConocoPhillips Amendment to be effective 11/15/2019.
Filed Date: 11/14/19.
Accession Number: 20191114–5036.
Comments Due: 5 p.m. ET 11/26/19.

Docket Numbers: RP20–230–000.
Applicants: Columbia Gas Transmission, LLC.
Description: § 4(d) Rate Filing: TCO Equinor Neg Rate Amendment to be effective 11/14/2019.
Filed Date: 11/14/19.
Accession Number: 20191114–5103.
Comments Due: 5 p.m. ET 11/26/19.

Docket Numbers: RP20–231–000.
Applicants: Gulf South Pipeline Company, LP.
Description: § 4(d) Rate Filing: Filing to incorporate approved changes and clean-up item to be effective 12/15/2019.
Filed Date: 11/15/19.
Accession Number: 20191115–5031.
Comments Due: 5 p.m. ET 11/27/19.

Docket Numbers: RP20–232–000.
Applicants: Dominion Energy Cove Point LNG, LP.
Description: § 4(d) Rate Filing: DECP—Negotiated Rate and Non-Conforming Service Agreement to be effective 12/15/2019.
Filed Date: 11/15/19.
Accession Number: 20191115–5156.
Comments Due: 5 p.m. ET 11/27/19.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: November 18, 2019.

Nathaniel J. Davis, Sr.,

Deputy Secretary.

[FR Doc. 2019–25398 Filed 11–21–19; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9048–1]

Environmental Impact Statements; Notice of Availability

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

Weekly receipt of Environmental Impact Statements
Filed 11/11/2019 10 a.m. ET Through 11/18/2019 10 a.m. ET
Pursuant to 40 CFR 1506.9.

Notice

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

EIS No. 20190274, Draft, BIA, OK, Osage County Oil and Gas Draft Environmental Impact Statement, *Comment Period Ends:* 01/06/2020, *Contact:* Mosby Halterman 918–781–4660

EIS No. 20190275, Final, USFS, CA, Squaw Valley-Alpine Meadows Base-to-Base Gondola Project, *Review Period Ends:* 12/23/2019, *Contact:* Joe Flannery 530–478–6205

EIS No. 20190276, Final, FERC, OH, Jordan Cove Energy Project, *Review Period Ends:* 12/23/2019, *Contact:* Office of External Affairs 866–208–3372

Figure A8:1-3. Notice of Availability dated November 18, 2019

EIS No. 20190277, Final, BLM, WA, San Juan Islands National Monument Proposed Resource Management Plan and Final Environmental Impact Statement, *Review Period Ends:* 12/23/2019, *Contact:* Lauren Pidot 503–808–6297

EIS No. 20190278, Draft, BLM, AK, National Petroleum Reserve in Alaska Integrated Activity Plan and Environmental Impact Statement, *Comment Period Ends:* 01/21/2020, *Contact:* Stephanie Rice 907–271–3202

EIS No. 20190279, Draft, USACE, CO, Halligan Water Supply Project, *Comment Period Ends:* 01/27/2020, *Contact:* Cody Wheeler 720–922–3846

EIS No. 20190280, Draft, USACE, LA, South Central Coast Louisiana Draft Feasibility Study with Integrated Environmental Impact Statement, *Comment Period Ends:* 01/06/2020, *Contact:* Joe Jordan 309–794–5791

Dated: November 18, 2019.

Robert Tomiak,

Director, Office of Federal Activities.

[FR Doc. 2019–25377 Filed 11–21–19; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2013–0318; FRL—10002–50–OMS]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; NSPS for Magnetic Tape Coating Facilities (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency (EPA) has submitted an information collection request (ICR), NSPS for Magnetic Tape Coating Facilities (EPA ICR Number 1135.13, OMB Control Number 2060–0171), to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. This is a proposed extension of the ICR, which is currently approved through January 31, 2020. Public comments were previously requested, via the **Federal Register**, on May 6, 2019 during a 60-day comment period. This notice allows for an additional 30 days for public comments. A fuller description of the ICR is given below, including its estimated burden and cost to the public. An agency may neither conduct nor sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

DATES: Additional comments may be submitted on or before December 23, 2019.

ADDRESSES: Submit your comments, referencing Docket ID Number EPA–HQ–OECA–2013–0318, to: (1) EPA online using *www.regulations.gov* (our preferred method), or by email to *docket.oeca@epa.gov*, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave. NW, Washington, DC 20460; and (2) OMB via email to *oira_submission@omb.eop.gov*. Address comments to OMB Desk Officer for EPA.

EPA's policy is that all comments received will be included in the public docket without change, including any personal information provided, unless the comment includes profanity, threats, information claimed to be Confidential Business Information (CBI), or other information whose disclosure is restricted by statute.

FOR FURTHER INFORMATION CONTACT: Patrick Yellin, Monitoring, Assistance, and Media Programs Division, Office of Compliance, Mail Code 2227A, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460; telephone number: (202) 564–2970; fax number: (202) 564–0050; email address: *yellin.patrick@epa.gov*.

SUPPLEMENTARY INFORMATION: Supporting documents, which explain in detail the information that the EPA will be collecting, are available in the public docket for this ICR. The docket can be viewed online at *www.regulations.gov*, or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave. NW, Washington, DC. The telephone number for the Docket Center is 202–566–1744. For additional information about EPA's public docket, visit: *http://www.epa.gov/dockets*.

Abstract: The New Source Performance Standards (NSPS) for NSPS for Magnetic Tape Coating Facilities (40 CFR part 60, subpart SSS) apply to each new and existing coating operation and coating mixing equipment at magnetic tape coating facilities for which construction, modification, or reconstruction began after January 22, 1986. New facilities include those that commenced construction, modification or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR part 60, subpart SSS.

In general, all NSPS standards require initial notifications, performance tests, and periodic reports by the owners/operators of the affected facilities. They are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all affected facilities subject to NSPS.

Form Numbers: None.

Respondents/affected entities: Magnetic tape coating facilities.

Respondent's obligation to respond: Mandatory (40 CFR part 60, subpart SSS).

Estimated number of respondents: 6 (total).

Frequency of response: Initially, quarterly, and semiannually.

Total estimated burden: 2,030 hours (per year). Burden is defined at 5 CFR 1320.3(b).

Total estimated cost: $321,000 (per year), includes $86,400 in annualized capital and/or operation & maintenance costs.

Changes in the Estimates: There is no change in the labor hours in this ICR compared to the previous ICR. This is due to two considerations. First, the regulations have not changed over the past three years and are not anticipated to change over the next three years. Secondly, the growth rate for the industry is very low, negative or non-existent, so there is no significant change in the overall burden.

Courtney Kerwin,

Director, Regulatory Support Division.

[FR Doc. 2019–25410 Filed 11–21–19; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[EPA–HQ–OECA–2013–0334; FRL—10002–47–OMS]

Information Collection Request Submitted to OMB for Review and Approval; Comment Request; NSPS for Secondary Brass and Bronze Production, Primary Copper Smelters, Primary Zinc Smelters, Primary Lead Smelters, Primary Aluminum Reduction Plants, and Ferroalloy Production Facilities (Renewal)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Environmental Protection Agency has submitted an information collection request (ICR). NSPS for

Figure A8:1-3 (con't). Notice of Availability dated November 18, 2019

1.3 CONCURRENCE POINTS

Importantly, the OFD MOU identifies three concurrence points in the environmental review process where the lead Federal agency must request the concurrence of cooperating agencies with authorization decision responsibilities:

1. Purpose and need (prior to the issuance of the notice of intent)
2. Alternatives to be carried forward for evaluation (prior to detailed analysis in the draft EIS)
3. Identified preferred alternative (prior to the final EIS)

The concurrence points will prevent delays to the permitting timetable by ensuring agencies address key concerns and issues early in the process. Once a concurrence point is reached, lead agencies will request written concurrence and cooperating agencies have 10 days to concur or non-concur. Concurrence means confirmation by each agency that the information is sufficient for that stage in the process, and the environmental review process may proceed.

1.3.1 Concurrence Point #1- Purpose and Need

As CEMVN (and other Federal agencies) began to grasp OFD and its meticulous requirements, CEMVN did not hit all of its marks early in the planning process. CEMVN was negligent on fulfilling the written requirements set forth in the OFD MOU, specifically the written concurrence request at the NEPA stage, Purpose and Need. CEMVN formally began the South Central Coast study October 9, 2018. CEMVN held a resource agency meeting shortly thereafter on November 6, 2018. These agencies attended the meeting:

- National Marine Fisheries Service
- US Fish and Wildlife Service,
- Natural Resources Conservation Service, and
- Federal Emergency Management Agency,
- state agencies.

CEMVN outlined the Purpose and Need at this meeting. For this concurrence planning step, CEMVN did not formally request concurrence. While not a substitute for formal written concurrence, CEMVN's periodic resource agency meetings throughout the early stages of the study have met the intent of the MOU's requirement to describe the study's purpose and need as well as receive feedback from our project partners.

1.3.2 Concurrence Point #2 - Alternatives to be Carried Forward for Evaluation

CEMVN initially screened the project's alternatives on January 31, 2019. While the resource agencies did not participate in this meeting, the CEMVN held a follow-up resource agency webinar on February 14, 2019, outlining the project's alternatives at that time. Since then, CEMVN has screened additional alternatives based on engineering feasibility and economic

benefits. CEMVN selected its Tentatively Selected Plan (TSP) (tentatively preferred NEPA alternative) internal milestone on September 19, 2019. CEMVN addressed the alternatives screened to this point and discussed the alternatives being carried forward in the DEIS. CEMVN sent out a Concurrence Point Letter to the Cooperating Agencies on September 30, 2019. The letter requested concurrence from the cooperating agencies the alternatives carried forward for evaluation in the DEIS were acceptable. CEMVN and cooperating agency's letters are at the end of this appendix.

1.3.3 Concurrence Point #3 Preferred Alternative

CEMVN's DEIS NOA was posted to the Federal Register on November 22, 2019 (attached). On November 23, 2019, the CEMVN sent a written concurrence request addressing the Preferred Alternative (attached). In a letter dated December 2, 2019, the USFWS concurred with the TSP or Preferred Alternative (attached). Per the MOU, if after concurrence and CEMVN has changes to the Preferred Alternative, CEMVN and cooperating agencies will review such changes to determine if concurrence should be revisited.

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT
CLOCK TOWER BUILDING - PO BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

REPLY TO
ATTENTION OF

May 22, 2019

Regional Planning and Environmental
Division North (RPEDN)

Mr. Gary Zimmerer
FEMA - Region VI, Federal Center
800 North Loop 288
Denton, TX 76201-3698

Dear Mr. Zimmerer,

The US Army Corps of Engineers, New Orleans District (District) is preparing a feasibility report with integrated environmental impact statement pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed *South Central Coast Louisiana Flood Risk Management Feasibility Study*, located in St. Martin, Iberia, and St. Mary parishes, Louisiana. The study will determine if the work necessary to sustain 1% level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified. The non-Federal sponsor is the Louisiana Coastal Protection and Restoration Authority.

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

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

In accordance with the Council on Environmental Quality (CEQ) final implementing regulations for NEPA (40 C.F.R. § 1501.6 and § 1508.5), the One Federal Decision (EO 13807), and Corps Implementation Guidance *CECW-P Memorandum Implementation Guidance for Feasibility Studies for Executive Order 13807*, 26 September 2018 (Enclosure 2); and CECW-P

Planning Bulletin 2018-01, *Feasibility Study Milestones*, 26 September 2018 (Enclosure 3), the Corps requests your assistance and participation in the NEPA process in the following ways:

- Invite you to participate and provide input during agency coordination meetings, including pre-scoping and scoping;
- Consult with you on any relevant technical studies required for the project;
- Provide comment and feedback on identifying the overall scope of the project, study and assessment methodologies, range of alternatives, and important issues and impacts to be evaluated during the environmental review;
- Participate in identifying and eliminating from detailed study the issues not important;
- Identify issues related to your agency's jurisdiction by law and special expertise; and
- Review of the administrative and public drafts of the Draft and Final environmental impact statement.

Please provide your written acceptance or declination of this invitation on or before 30 days from date of letter. Should you decline to accept our invitation to be a cooperating agency, we advise you provide a copy of your response to CEQ as specified at 40 C.F.R. § 1501.6(c). We look forward to working with your agency on the preparation of the environmental decision document. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study, please contact Mrs. Carrie Schott. Project Manager [redacted] or Mr. Joe Jordan, Environmental Project Lead [redacted]

Sincerely,

for

Jodi Creswell
Environmental Planning Branch Chief

Enclosures
ENCL 1 - Study Fact Sheet
ENCL 2 - Implementation Guidance for Feasibility Studies for Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects
ENCL 3 - Planning Bulletin PB 2018-01, Feasibility Study Milestones, 26 September 2018

South Central Coast Louisiana Flood Risk Management Feasibility Study

FACTSHEET

Background

The study area suffered from recent disasters and will continue to suffer from natural disasters without some form of flood risk management solution. Repeated storm events including recent Hurricanes Rita, Ike, Gustav, and Andrew, affected the entire study area, resulted in loss of life, wildlife and property, and repeated mandatory evacuation costs. This area is also vulnerable to coastal land loss and degradation. Historically, from 1932 to 2010, the area experienced a net loss of approximately 22,500 acres of wetlands. Continued wetlands losses impact migratory species, the ecological nurseries of the Gulf of Mexico, and various commercial and recreational activities.

Communities of concern include Breaux Bridge and St. Martinville in St. Martin Parish. New Iberia, Jeanerette, Delcambre, and Loreauville are at risk of storm damage in Iberia Parish. In St. Mary Parish Morgan City, Franklin, Patterson, Baldwin, Berwick, as well as the federally recognized Tribal Nation of the Chitimacha whose reservation includes most of Charenton are at risk of damages from flooding from storms that have continually battered this part of the Louisiana coast over time. Activities in the study area include those related to the Gulf Intracoastal Waterway and Bayou Teche; the Port of Morgan City, Port of West St. Mary, and Port of Iberia; Keystone Lock and Dam, Berwick Lock, and Bayou Boeuf Lock; the Wax Lake Outlet and Pumping Station; Patterson Regional Airport; major transportation corridors and evacuation routes (Hwy 90/future I-49 corridor); and other activities associated with local bayous and structures. In addition to the adverse impacts resulting from repeated storm events such as Hurricanes Rita, Ike, and Gustav, this area is also vulnerable to coastal land loss and degradation, which increases risk to communities, habitat, and infrastructure.

In addition, the study area is comprised of ecosystems having national significance as demonstrated by the presence of Bayou Teche National Wildlife Refuge and the State of Louisiana Marsh Island Wildlife Refuge and the Attakapas and Atchafalaya Delta Wildlife Management Areas. The Atchafalaya Basin is unique because it has a growing delta system. Designated by Congress in 2006 as a National Heritage Area, the Atchafalaya Basin has significant cultural, historic, scenic and recreational resources. It is the Nation's largest alluvial bottomland and swamp that provides habitat for 24 federal and state-listed threatened or endangered species, or species of concern such as Louisiana black bear, brown pelicans, and bald eagles. The actively growing delta provides a rare opportunity for scientific study of active delta building processes.

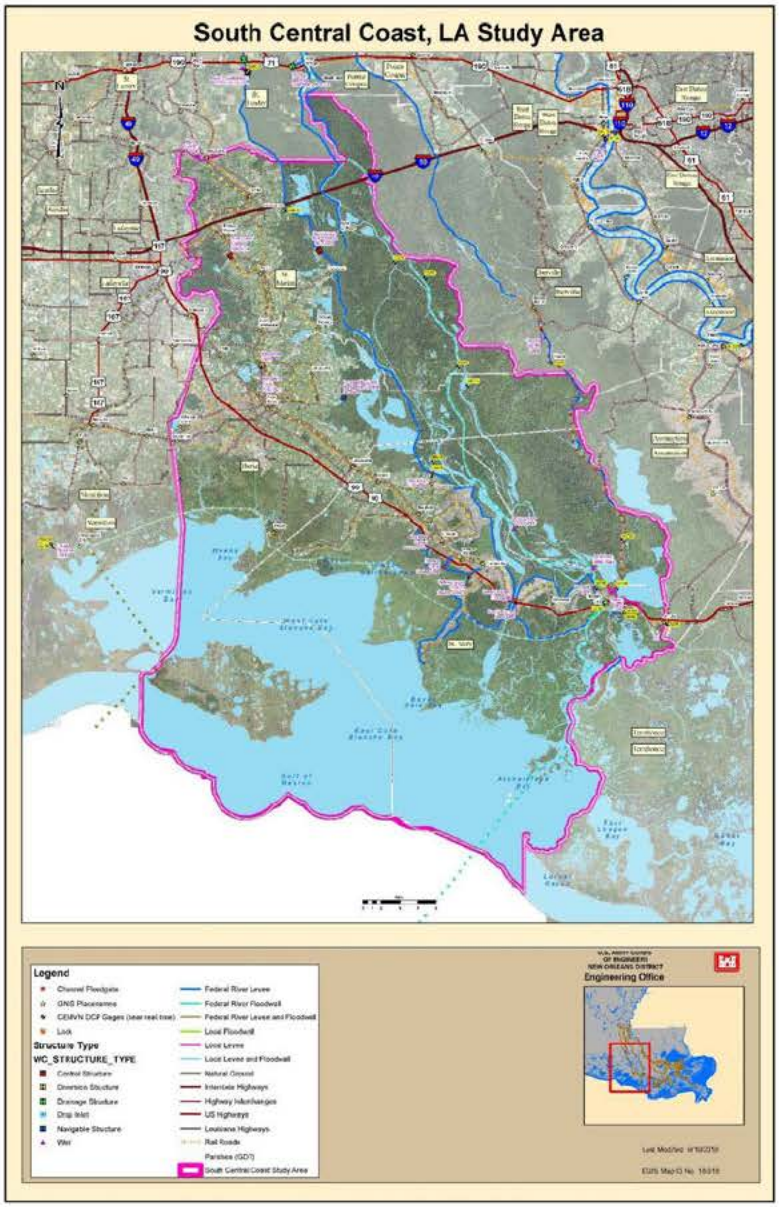
The District is investigating potential solutions including levees and floodwalls, hydraulic and salinity control structures, marsh creation and restoration features, non-structural efforts, and shoreline stabilization measures. Expected outputs include a reduction in the risk of flooding (frequency and magnitude), the restoration of critical habitat, and the enhancement of the

Enclosure 1

Nation's economic development, job growth, and international competitiveness, which are all supported by Administration policy.

In 2016, the District completed a similar study, the Southwest Coastal Feasibility Study, authorized in 2016. Also, the South Central Coastal Study should not be confused with the Southeast Louisiana urban flood control project covering Jefferson, Orleans, and St. Tammany Parishes.

Enclosure 1


South Central Coast, LA Study Area
Legend
Structure Type
WC_STRUCTURE_TYPE
Engineering Office

Enclosure 1

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000

SEP 26 2018

CECW-P

MEMORANDUM FOR SEE DISTRIBUTION

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

1. References

a. Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects, 15 August 2017.

b. ER 200-2-2, Procedures for Implementing NEPA, 4 March 1988.

c. 40 CFR 1500-1508, CEQ Regulations for Implementing the Procedural Provisions of NEPA.

d. Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations (CEQ, 1986).

e. Implementation Guidance for Section 1005 of the Water Resources Reform and Development Act of 2014 (WRRDA 2014), Project Acceleration, 20 March 2018.

f. SMART Planning Feasibility Studies: A Guide to Coordination and Engagement with the Services, September 2015.

2. Applicability. EO 13807 applies a number of concepts to environmental review and permitting associated with "infrastructure projects," as defined in the EO. Sections 4 and 5 of Executive Order (EO) 13807 also apply specific performance accountability measures and process enhancements to projects meeting the EO's definition of "major infrastructure projects." This guidance applies to feasibility studies where the USACE planning decision document could lead to a recommendation for project authorization or modification to a project authorization, including general re-evaluation studies, post authorization change reports, and other reports supporting project authorization or budget decisions that result in a Chief's Report or Director's Report.

a. Section 3.(d) of EO 13807 defines "infrastructure project" as "a project to develop the public and private physical assets that are designed to provide or support services to the general public in the following sectors: surface transportation,

Enclosure 2

SUBJECT: Implementation Guidance for Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects

including roadways, bridges, railroads, and transit; aviation; ports, including navigational channels; water resources projects; energy production and generation, including from fossil, renewable, nuclear, and hydro sources; electricity transmission; broadband internet; pipelines; stormwater and sewer infrastructure; drinking water infrastructure; and other sectors as may be determined by the FPISC [Federal Permitting Improvement Steering Council]."

b. Section 3.(e) defines "major infrastructure project" (a subclass of infrastructure project as defined above) as "an infrastructure project for which multiple authorizations by Federal agencies will be required to proceed with construction, the lead Federal agency has determined that it will prepare an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 et seq., and the project sponsor has identified the reasonable availability of funds sufficient to complete the project."

c. Section 3.(a) of EO 13807 defines "authorization" as "any license, permit, approval, finding, determination, or other administrative decision issued by a Federal department or agency that is required or authorized under Federal law in order to site, construct, reconstruct, or commence operations of an infrastructure project, including any authorization under 42 U.S.C. 4370m(3)." As so defined in the EO, this term is not synonymous with Congressional authorization, or any other approval, finding, determination, or decision issued by Congress or any other entity or organization that is not a Federal department or agency.

d. Districts should apply the concepts applicable to "infrastructure projects," as well as future process improvements, to planning studies that don't otherwise meet the definition of "major infrastructure projects," particularly those feasibility studies with Environmental Assessments (EAs).

3. Purpose. The EO sets out several policies of the Federal Government related to infrastructure projects including, but not limited to, a policy to develop environmentally sensitive infrastructure; a policy to conduct coordinated, consistent, predictable, and timely environmental reviews; and a policy to make timely decisions with the goal of completing all federal environmental reviews and authorization decisions for "major infrastructure projects" within two years. The purpose of this guidance is to clarify and reinforce those Civil Works project development processes and procedures that will provide for compliance with the EO.

4. Environmental Stewardship. The Federal objective for water resources planning is to contribute to national economic development, consistent with protecting the Nation's environment, pursuant to national environmental statutes, applicable executive orders,

SUBJECT: Implementation Guidance for Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects

and other Federal planning requirements. Provisions for environmental considerations are integrated throughout the Principles & Guidelines and are specifically addressed in discussion of the Environmental Quality (EQ) Account and the EQ procedures. The EQ procedures should be applied early in the planning process so that significant natural and cultural resources of the study area can be identified and inventoried, used in developing planning objectives, and accommodated in a reasonable set of alternative plans, which achieve the planning objectives. Further, USACE's Environmental Operating Principles were developed to ensure that USACE missions include totally integrated sustainable environmental practices. The Environmental Operating Principles provide corporate direction to ensure that the workforce recognizes the USACE role in, and responsibility for, sustainable use, stewardship, and restoration of natural resources across the Nation.

5. Coordinated Environmental Reviews. The EO states it is the policy of the Federal Government to conduct environmental reviews and authorization processes in a coordinated, consistent, predictable, and timely manner. 33 U.S.C. 2348(c)(2) and (e)(8) require agencies to conduct environmental reviews of water resource development projects concurrently to the extent practicable for feasibility studies, providing compliance with this policy. References 1.e. and 1.f. provide detailed guidance on conducting concurrent and coordinated environmental reviews for feasibility studies.

a. All Federal, Tribal, and State agencies required to conduct or issue a review for the study should be invited to serve as either a cooperating agency or a participating agency for the environmental review process. The coordinated environmental review process stresses promoting transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, and local governmental agencies, Tribes, or the public, and the temporal and spatial scales to be used to analyze those issues.

b. Districts will use principles of risk-informed decision making to conduct environmental compliance concurrently with the feasibility study process. Risk-informed decision making within the environmental discipline does not mean deferring environmental compliance until later during the study or during preconstruction engineering and design (PED) solely to avoid data gathering early in the study. Each iteration of the planning process progresses in level of detail for environmental analysis and review. Consistent with Reference 1.c., study teams should focus on issues which are significant to decision making and reduce emphasis on information which is not. Study teams should use readily available information, and proxies when appropriate, to gather only the information necessary for the next planning decision based on feedback from

SUBJECT: Implementation Guidance for Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects

coordinating with cooperating and participating agencies and to manage decision risks. Study teams should utilize public and agency coordination to assist in focusing on those most significant issues for decision making and better characterize what key uncertainties exist within the environmental discipline. Study teams can manage those associated instrumental risks using a risk register. The point of risk-informed planning is not to focus on those universal risks that would apply across the portfolio, such as the risk that a cooperating agency will not support a recommended plan, but instead to focus on those critical risks that are unique to a given study and have the potential to significantly affect decision making.

6. Permitting Timetable. Section 5.a.(ii) of the EO requires agencies to develop and follow a permitting timetable for "major infrastructure projects." The permitting timetable is an environmental review and authorization schedule, or other equivalent schedule, for a major infrastructure project or group of major infrastructure projects that identifies milestones, including intermediate and final completion dates for action by each agency on any Federal environmental review or authorization required for a major infrastructure project or group of major infrastructure projects. Study teams will use the schedule developed in accordance with Paragraph 5.d. of Reference 1.e., conducting the required coordination and concurrence with the cooperating and participating agencies, as the permitting timetable for major water resources infrastructure projects under the EO. Study schedules must have sufficient detail to demonstrate utilization of a coordinated review.

7. Notice of Intent. References 1.b. and 1.c. indicate that as soon as practicable after a decision is made to prepare an EIS or supplement, the scoping process for the draft EIS or supplement will be announced in a NOI. Changes in WRRDA 2014 included elimination of the reconnaissance phase, but added a requirement for a meeting within 90 days of the start of the study with all Federal, Tribal, and State agencies (see Reference 1.e.). Without the reconnaissance phase and much of the early information obtained during that phase, the decision regarding the appropriate NEPA document (categorical exclusion, EA, or EIS) would be better informed by the interagency meeting within 90 days of the study start in Reference 1.e. Therefore, the NOI may be issued between the Alternatives Milestone Meeting (AMM), which typically occurs within the first 90 days of the study, and before the Tentatively Selected Plan (TSP) Milestone, allowing the interagency meeting and one or more iterations of the six step planning process to occur, in order to make a risk-informed decision on the appropriate NEPA document (categorical exclusion, EA, or EIS) for the study. Consistent with References 1.b. and 1.c., districts will issue the NOI as soon as practicable after making the determination of the need to prepare an EIS, which is likely to occur close to the AMM.

SUBJECT: Implementation Guidance for Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects

8. NEPA Scoping. Reference 1.c. directs that the NEPA scoping process be announced in a NOI. However, CEQ guidance in Reference 1.d. does not prohibit early scoping prior to a NOI. Scoping may be initiated early in the feasibility study, as long as there is appropriate public notice and enough information available on the proposal so that the public and relevant agencies can participate effectively. However, early scoping cannot substitute for the normal scoping process after publication of the NOI, unless the earlier public notice stated clearly that this possibility was under consideration, and the NOI expressly provides that written comments on the scope of alternatives and impacts will still be considered. Any information received from the public or other agencies during this early scoping is expected to help reduce uncertainty regarding the appropriate type of NEPA document for the feasibility study.

9. One Federal Decision. Civil Works studies and proposed projects are required to be in compliance with all applicable Federal environmental statutes and regulations and with applicable State laws and regulations where the Federal government has clearly waived sovereign immunity. It is also expected that project recommendations made by district commanders within a final integrated feasibility report/NEPA document are informed by the results of a coordinated and transparent environmental review process. Lastly, under Reference 1.b., the Assistant Secretary of the Army for Civil Works [ASA(CW)] retains authority for signature of the Record of Decision (ROD), after completion of a Chief's Report. Therefore, for water resources development projects meeting the definition of "major infrastructure project" under EO 13807, the district commander's transmittal of a final feasibility report will also include the findings of all applicable environmental compliance requirements to comply with One Federal Decision in Section 5.(b) of the EO. For water resources development projects meeting the definition of "major infrastructure project" under EO 13807, requests to defer an environmental requirement after the district commander's transmittal of the final feasibility report must describe the risk and uncertainty of the request and must be endorsed by the policy and legal compliance review team at the Agency Decision Milestone in order to comply with Section 5(b)(ii) of the EO.

10. For water resources development projects meeting the definition of "major infrastructure project" under EO 13807, the length of the environmental review process for determining compliance with the EO will be calculated from the date of the NOI to the date of the district commander's transmittal of the final feasibility report or other decision document.

11. Issue Resolution. To comply with Section 5.(a)(iii) of the EO, study teams will inform the vertical team of any instances where a permitting timetable milestone for a water resources development project meeting the definition of "major infrastructure project" under EO 13807 is missed or extended, or is anticipated to be missed or extended. In

SUBJECT: Implementation Guidance for Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects

addition, study teams should keep the vertical team informed of any issues in the environmental review process that may affect the team's ability to meet a feasibility study milestone.

12. Questions regarding this implementation guidance should be directed to Lauren Diaz, Office of Water Project Review, at [redacted] or [redacted]

JOSEPH H. REDICAN
Acting Chief, Planning and Policy Division
Directorate of Civil Works

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US Army Corps of Engineers

PLANNING BULLETIN

No. PB 2018-01 **Issuing Office: CECW-P** **Issued: 26 September 2018**

Subject: Feasibility Study Milestones

Applicability: Guidance.

1. References:
   a. Engineer Regulation 1105-2-100: Planning Guidance Notebook
   b. Engineer Regulation 200-2-2: Procedures for Implementing NEPA
   c. Engineer Circular 1165-2-217: Review Policy for Civil Works
   d. Consolidation of Studies. Updated Implementation Guidance for Section 1002 of the Water Resources Reform and Development Act of 2014. 17 May 2015.
   e. Director's Policy Memorandum Civil Works Program 2018-05, Subject: Improving Efficiency and Effectiveness in USACE Civil Works Project Delivery (Planning Phase and Planning Activities). 3 May 2018.
   f. Planning Manual Part II: Risk Informed Planning. IWR 2017-R-03. July 2017.
   g. ECB 2018-15: Technical Lead, August 2018.

2. This bulletin supersedes Planning Bulletin 2017-01: Feasibility Study Milestones. This bulletin supersedes specific sections of ER 1105-2-100 (Planning Guidance Notebook) that reference feasibility study milestones, including: Appendix G (30 June 2004) exhibits G-3, G-4, G-5, Appendix H (20 November 2007) section H-4 (discussion of Feasibility Scoping Meeting and Alterative Formulation Briefing), and Appendix H exhibits H-3, H-4, H-5, and H-7.

3. Applicability. This guidance applies to all feasibility studies where the USACE planning decision document could lead to a recommendation for project authorization or modification to a project authorization, including general re-evaluation studies, post authorization change reports, and other reports supporting project authorization or budget decisions that results in a Chief's Report or Director's Report. Studies and decision documents under the Continuing Authorities Program will follow the processes outlined in ER 1105-2-100, Appendix F. Watershed studies and reports will follow the processes outlined in Planning Bulletin 2016-03: Watershed Studies, or subsequent guidance.

4. Purpose. The purpose of this planning bulletin is to clarify procedures associated with the USACE feasibility study process including milestone decision meetings, report submittals and study approvals.

5. Product Milestones. There are four significant feasibility report milestones that will be used for notification and reporting purposes as required by the Water Resources Reform and Development Act of 2014, Section 1002. These four product milestones are: release of draft feasibility report for public comment and concurrent review; District transmittal of final feasibility report; Major Subordinate Command (MSC) transmittal of the approved final feasibility report (if applicable); and signed Chief's Report or signed Director's Report.

Enclosure 3

6. Decision Milestones. During the course of a feasibility study, three decision milestones mark the confirmation and endorsement of key planning decisions made by the project delivery team (PDT), acknowledgement and acceptance of identified study and implementation risks and uncertainties and the strategies to manage those risks including the PDT's proposed path forward, and confirmation of the scope, schedule and budget to complete the feasibility study. These decision milestone meetings underscore vertical team engagement from the beginning of the study and enable the PDT to proceed with the assurance that key study decisions were made with vertical team engagement. The three feasibility study milestones representing key planning decisions are: Alternatives Milestone meeting (AMM); Tentatively Selected Plan (TSP) milestone; and the Agency Decision milestone (ADM).

a. Logistics. Milestone meeting scheduling and logistics will be coordinated by the decision -making command (ref. paragraph 7). MSC-based milestone decision meetings will be coordinated by the MSC and inform the Regional Integration Team (RIT) Planner; HQ-based milestone decision meetings will be coordinated by the appropriate RIT. Teleconference and web meeting are the preferred methods for conducting milestone meetings. An in-person meeting can be held by exception, with the approval of the decision-maker.

b. Read Ahead Materials for Decision Milestones. The required read ahead materials for decision milestones are the report summary, the draft presentation slides, and the project study issue checklist. Final presentation slides are not expected to be submitted ahead of the milestone meeting. Though the risk register, decision log, and decision management plan are not required to be submitted as read aheads, it is assumed these tools, or similar, are utilized to inform the report summary and risk and uncertainty discussion at the milestone meetings and can be provided to the vertical team upon request. Read ahead materials will be provided to the coordinating MSC and RIT Planner no later than one week prior to the milestone meetings. Read ahead material is informational for the decision-maker and will not be reviewed for the purposes of requiring revisions, or comment and responses.

c. Required milestone meeting participants include: the milestone decision maker (see Table 2); District Planning Chief (lead presenter); District lead planner; MSC Chief of Planning and Policy; Agency Technical Review (ATR) team lead; Outside Eligible Organization (OEO) Independent External Peer Review (IEPR) manager (if applicable); Planning Center(s) of Expertise (PCX) representative(s); Policy and Legal Compliance Review (P&LCR) team; RIT planner; and non-federal sponsor representative(s). Based on the needs of the study, additional invited participants to discuss details of study decisions and review may include: District PDT members; MSC planning staff; and representatives of the technical review teams. The Office of the Assistant Secretary of the Army (Civil Works) (ASA(CW)), other Federal agencies, and Tribal Nations may also be invited to the meeting. Any study involving the potential acquisition, modification, or operation and maintenance of specific Civil Works real property assets must include a representative from the appropriate business line and USACE Civil Works Asset Management.

d. Memorandum for the Record (MFR). All milestone meetings must conclude with a summary of the decisions reached and any required follow-up actions, documented and acknowledged by the decision-maker and the District and MSC Planning Chiefs before adjourning the meeting. The MFR will clearly document the milestone meeting decision,

including the agreed upon study scope, schedule and funding stream, and any other significant decisions affecting the study. This MFR will serve as the required support documentation for funding decisions, e.g., budget, work plan, re-programming, etc., and will inform the HQUSACE recommendation to ASA(CW) for schedule, cost exemptions to the 3x3x3 rule, or other policy waiver requests . The District is responsible for documenting the milestone meetings and finalizing the MFR within one week of the meeting.

e. Key Feasibility Study Tasks. Specific tasks are required to be completed prior to each feasibility study milestone. **Table 1** lists these key tasks.

Table 1: Key Feasibility Study Tasks (Not all-inclusive)

Milestone	Task
To be completed before Alternatives Milestone	• Establishment of initial team, early engagement with other PDT disciplines (e.g., counsel, real estate, cultural resources, engineering and construction) • Invite National Environmental Policy Act (NEPA) Cooperating Agencies • Negotiate Scope of Work for Fish and Wildlife Coordination Act (FWCA) Report • Develop species list and initiate informal consultation[1] for the Endangered Species Act (ESA) • Initiate NEPA Scoping activities • Conduct at least 1 iteration of risk-informed planning process (six steps); scoping and plan formulation activities resulting in screened array of alternatives, including developing preliminary "future without project" alternative • Initiate coordination with the appropriate Planning Center of Expertise (PCX) or the Risk Management Center (RMC) to discuss the scope of reviews and any planning model review and approval/certification needs. • Develop a project management plan (PMP), including the draft Review Plan, that generally describes how the study will be completed but with specific details to achieve the TSP milestone (documented scope and schedule to TSP Milestone).
To be completed before TSP Milestone	• Publish NOI to develop an Environmental Impact Statement[1] • IEPR Exclusion Request[1] • Environmental Compliance Activities[4]: > National Historic Preservation (NHPA) Section 106 Effects Determinations > Coordination with State / Tribal Historic Preservation Office (SHPO/THPO) on Area of Potential Effects (Cultural Resources) > Draft Conceptual Mitigation Proposal > Prepare Draft Biological Assessment[1] > Prepare Essential Fish Habitat (EFH) Assessment[1] > Draft Fish and Wildlife Coordination Act (FWCA) Report

Table continued on next page

To be completed before TSP Milestone	• Planning Model Approval or Certification[1] • As many additional iterations of risk-informed planning process (six steps) as necessary to distinguish among alternatives and communicate level of uncertainty with the TSP; plan formulation activities resulting in identification of the TSP (and potential Locally Preferred Plan (LPP)) • Identify potential policy waivers required by ASA(CW), including 3x3 exemption, LPP Waiver, etc.[1, 3] • PMP and Review Plan updated; document scope and schedule to Final Report Transmittal
To be completed before the draft feasibility report is released	• Legal Sufficiency Review of Draft Feasibility Report / NEPA document • DQC of Draft Feasibility Report / NEPA document
To be completed before Agency Decision Milestone	• ATR of Draft Feasibility Report / NEPA document • Public/Agency Review of Draft Feasibility Report / NEPA document • IEPR of Draft Feasibility Report / NEPA document [1,2] • Legal and Policy Compliance Review of Draft Feasibility Report / NEPA document (District) • Review comments compiled, assessed, and actions to resolve determined (documented in a review summary) • PMP and Review Plan updated; document scope and schedule including proposed level of detail to Final Report Transmittal • Any required policy waivers submitted to ASA(CW), including 3x3 exemption, LPP Waiver, etc.[1, 3]
To be completed before Final Report Package	• Any required policy waivers from ASA(CW) signed, including 3x3, LPP Waiver, etc.[1, 3] • Additional iteration(s) of Risk Informed Planning process (six steps); engineering, real estate, economics, and environmental analysis to complete feasibility report and decision document for recommended plan. • DQC of Final Feasibility Report / NEPA Document • Legal Sufficiency Review of Final Feasibility Report / NEPA document • Environmental Compliance Activities[4]: > Formal ESA Consultation[1] > Response to EFH Conservation Recommendations > Final FWCA Report > Review Draft Biological Opinion > Programmatic Agreement approved by SHPO/THPO (Cultural Resources

Table continued on next page

To be completed before Final Report Package	> Clean Water Act Water Quality Certification or Letter of Concurrence from State Water Quality Agency regarding Section 401(c) Water Quality Certification > Consistency Determination from State Coastal Zone Management Agency under Coastal Zone Management Act • Cost Certification and Total Project Cost Summary • Documentation and certification of DQC, ATR, and IEPR[1] • Draft agency response to IEPR[1] • Signed Project Study Issue Checklist

Notes
1. If applicable.
2. The IEPR panel has up to 60 days after the end of the public review of the draft report to submit the Final IEPR Report, and longer at the discretion of the Chief, therefore, the final IEPR report may not be completed by the ADM.
3. The District Commander will submit a policy exemption package as needed after the TSP milestone but in all cases no less than 60 days before the end of the 36 month time frame. The package will consist of the Project Management Plan, Report Summary, Risk Register Summary, summary slides showing comparison of cost and schedule changes, and the most recent milestone MFR. Documentation of the vertically aligned scope, schedule, and budget should be included and submitted to the RIT for processing.
4. This list is not inclusive of all environmental requirements.

7. Milestone Decision Making. Decision-making authority for the milestones is outlined in **Table 2**. In all cases read ahead submittals will go from the District to the decision-making authority and the RIT without an intervening review beyond that outlined in the quality management plan. HQUSACE may delegate its milestone meeting decision-making authority to the MSC. The MSC cannot delegate its milestone meeting decision-making authority. If the study meets any of the following three criteria, the milestone decision-making authority will reside at HQUSACE:

a. The draft feasibility report / NEPA document has been released before 3 May 2018 (ref: Director's Policy Memorandum Civil Works Program 2018-05, Subject: Improving Efficiency and Effectiveness in USACE Civil Works Project Delivery (Planning Phase and Planning Activities); or

b. A policy waiver from the Assistant Secretary of the Army for Civil Works (ASA(CW)) is identified to complete the study, including ASA(CW) approval to exceed 3 years or $3 million or the three levels of vertical coordination, Federal; or

c. The vertical team makes a mutual decision based on the study complexity and risks.

Table 2: Milestone Decision-Making Delegation

Ongoing	Feasibility Decision Milestone	Decision-Making Delegated to MSC	Decision Making Resides at HQ (ref. paragraph 7)
Vertical Team Engagement	Alternatives Milestone	MSC Planning & Policy Chief	MSC Planning & Policy Chief
	Tentatively Selected Plan Milestone	MSC Planning & Policy Chief	Chief, OWPR
	Agency Decision Milestone	MSC Programs Directorate Chief (SES)	HQ Chief, Planning and Policy

8. Alternatives Milestone. The AMM marks the decision maker's acknowledgement and acceptance of identified study and implementation risks and the strategies to manage those risks. The decision maker affirms the PDT's preliminary analysis of the Federal interest, and the projected scope, schedule and budget for the study.

a. Timing of the Alternatives Milestone. The AMM will be held after the PDT has completed at least one full iteration of the risk informed six-step planning process (Ref. Planning Manual Part II: Risk Informed Planning) and has a clear path forward (scope, schedule, cost) to the TSP milestone. The Project Management Plan and draft Review Plan have been developed; the PDT has a projected scope, schedule and budget for completion of the feasibility study; and the nonfederal sponsor has been notified of the schedule of key product milestones (paragraph 5). The PDT has engaged the vertical team as needed for in-progress reviews and has completed DQC review of milestone read aheads. The District Planning Chief, in consultation with the MSC Planning and Policy Chief, determines the readiness for conducting the milestone meeting. In a 3-year study, the AMM would be expected within approximately the first 90 days of the study. The PDT will engage the vertical team via in-progress reviews or other means to identify and remove obstacles to move the study forward.

b. Decision-Maker. The decision-maker for the Alternatives milestone meeting is the MSC Planning and Policy Chief.

c. Decision at the Alternatives Milestone meeting. The decision maker at the AMM will acknowledge and evaluate identified study and implementation risks and uncertainties and the District's strategies to manage those risks. The decision maker affirms the soundness of PDT's preliminary analysis of the Federal interest, the (rough order of magnitude) costs, benefits, and environmental impacts of the focused array of alternatives, and the projected scope, schedule and budget for the study. The decision-maker will affirm whether the PDT is prepared to move forward with a clear path to identify the TSP, with an appropriate scope, schedule and budget to the TSP milestone. The decisions made at the milestone meeting will be documented in the MFR.

d. To support the decision, the District Planning Chief (lead presenter) will describe the PDT's scoping process to ensure significant decision-making factors are addressed, unnecessary analyses are avoided, risks are identified, and meaningful and efficient analysis and selection of alternative plans can occur. The presentation and discussion will include:

- A concise description of the problem;
- Study authorization;

- The understanding of future without project conditions, including uncertainty;
- The study objectives and constraints;
- The formulation of a representative array of distinctly different solutions, and how that array will be evaluated to reduce uncertainties and identify the TSP. If there is a likely LPP, that should be identified and discussed;
- The Federal interest in the problem;
- Status of environmental compliance activities;
- Study scope, schedule and funding stream; and
- Likelihood the study will be completed within 3 years and $3 million total study cost. If the study is unlikely to be meet these constraints, the PDT's next steps for the exemption process will be discussed. The participants in the meeting must indicate additional measures that could be taken within acceptable risk to lower study costs and/or shorten the study schedule.

e. Post-Meeting Activities. If the decision-maker supports moving ahead with the study, the PDT will proceed with reducing uncertainties and identifying the TSP. Feasibility study activities will include, but are not limited to: conducting further analyses of the Future Without Project Condition to enable appropriate comparison with alternatives; evaluating and comparing the focused array of alternatives, including NEPA analysis; selection of a TSP; identification of a LPP, if applicable; continuing environmental and cultural compliance documentation and activities (NEPA, FWCA, ESA, NHPA, etc.); and developing the draft feasibility report in preparation for concurrent review.

9. TSP Milestone. The TSP Milestone marks the PDT's selection of, and the decision-maker's endorsement of, a TSP (and LPP, if applicable), and that the PDT is prepared to release the draft feasibility report and draft NEPA documentation for concurrent public, technical, legal and policy review and IEPR (if applicable).

a. Timing of the TSP Milestone. The PDT has completed enough full iterations of the risk-informed planning process (Ref. Planning Manual Part II: Risk Informed Planning) to reduce uncertainties and identify a TSP. The PDT has completed the evaluation and comparison of a focused array of distinctly different strategies for achieving the water resources objectives in the study area, identified a TSP and possibly a LPP to carry forward, and prepared a scope to develop sufficient cost and design information for the final feasibility-level analysis and feasibility report. The draft feasibility report / NEPA documentation will be largely complete by the milestone meeting and will be ready to release for concurrent review within 60 days of the successful TSP milestone. The Project Management Plan and Review Plan have been updated; the PDT has a projected scope, schedule and budget for completion of the feasibility study. The PDT has engaged the vertical team as necessary and completed DQC review of milestone read-aheads. The District Planning Chief, in consultation with the MSC Planning and Policy Chief, determines the readiness for conducting the TSP Milestone meeting. In a 3-year study, the TSP Milestone would be expected within the first 12 months of the study.

b. Decision Maker. The decision maker for the TSP milestone meeting is the MSC Planning and Policy Chief. When decision-making authority has been retained by Headquarters (Paragraph 7), the Chief, Office of Water and Project Review (OWPR) is the decision maker.

c. Decision at the TSP Milestone. At the TSP Milestone meeting, the decision maker either: supports the selection of the TSP (and LPP, if applicable), the proposed way forward, and the release of the draft feasibility report / NEPA documentation for concurrent public, technical, legal and policy review and IEPR (if applicable); requests additional information required to support a decision; or terminates the study. If the decision maker requires additional work before a decision regarding the release of the draft feasibility report, the release will follow confirmation of the adequacy of the work using agreed upon quality control/quality assurance practices and approval of release by the decision maker. The decision maker at the TSP Milestone meeting will acknowledge and evaluate identified study and implementation risks and the District's strategies to manage those risks. The decision maker will affirm whether the PDT is prepared to move forward with an appropriate scope, schedule and budget to the ADM and for the full study. The decisions made at the milestone meeting will be documented in an MFR.

d. The presentation and discussion will include the PDT's alternative evaluation, comparison and selection process to ensure significant decision-making factors are addressed, unnecessary analyses are avoided, and risks and uncertainties are identified. The District Planning Chief will describe the results of the qualitative risk assessment of the TSP, including study risks and implementation risks and uncertainties. The Planning Chief will also discuss the likelihood the study will be completed within 3 years and $3 million total study cost. If the study is unlikely to be meet these constraints, the PDT's next steps for the exemption process will be discussed. The participants in the meeting must indicate additional measures that could or shall be taken within acceptable risk to lower study costs and/or shorten the study schedule.

e. Locally Preferred Plans. The PDT should notify the vertical team of a likely LPP prior to the TSP milestone, present the likely LPP at the TSP milestone meeting, and ensure NEPA compliance documentation in the draft feasibility report is broad enough to address the impacts of any potential LPP. HQUSACE will alert the ASA(CW) of the potential for a LPP and the Office of the ASA(CW) will be invited to the TSP Milestone meeting. The formal request of the ASA(CW) to waive the requirement for USACE to recommend the National Economic Development (NED) or National Ecosystem Restoration (NER) Plan will be required prior to the ADM.

f. Release of Draft Feasibility Report. The draft feasibility report should be released within 60 days of the TSP Milestone meeting. If the decision maker supports moving ahead with the study, the PDT will finalize the draft feasibility report and draft NEPA documentation and prepare to release for concurrent public, technical, legal and policy review and IEPR (if applicable). Release of the draft feasibility report is contingent on confirmation of the adequacy of the work following agreed upon quality control and quality assurance practices (including ATR); legal sufficiency review of the draft feasibility report is required before release. Unless otherwise specified in the Review Plan, no materials are required to be part of a draft feasibility report "package" beyond the draft feasibility report with all appendices, draft NEPA documentation and DQC documentation. If the draft feasibility report has not been released within 60 days of the TSP Milestone meeting and release beyond 60 days was not agreed to at the TSP milestone meeting, the District DPM and/or the District Commander, the District Chief of Planning, the MSC Chief of Planning and Policy, HQ Chief of Planning and Policy and the RIT must meet via phone with the TSP Milestone meeting decision-maker to reconfirm the TSP and the schedule, and secure re-approval of the release of the draft feasibility report.

g. Post-Meeting Activities. The PDT will finalize the draft feasibility report / NEPA documentation and prepare to release for concurrent public, technical, legal and policy review and IEPR (if applicable). If the District Commander, in accordance with part 19.a. of ER 200-2-2: Procedures for Implementing NEPA and Section 2045 of the Water Resources Development Act of 2007, as amended, extends the public review period for the draft feasibility report and NEPA documentation beyond the initial 60-day period, the district shall notify the HQ Chief of Planning and Policy of the change in schedule in writing through their RIT prior to the end of the original review period. After concurrent review, the PDT will prepare a Review Summary that highlights significant comments and potential risks associated with agency endorsement of the TSP in preparation for the Agency Decision Milestone meeting. The PDT will provide draft responses to the P&LCR Manager to comments in the Project Guidance Memorandum. If significant changes to the TSP presented in the draft feasibility report are likely after concurrent review, the PDT may be required to address the comments and repeat the concurrent review process prior to the ADM.

10. Agency Decision Milestone. The ADM marks the corporate endorsement of the recommended plan and proposed way forward to complete feasibility-level design and the feasibility study report package.

a. Timing of the Agency Decision Milestone. The ADM occurs after completion of the concurrent public, technical, legal, and policy review of the draft feasibility report / NEPA document. In the event that the study requires IEPR, the milestone will be scheduled to follow receipt of the IEPR panel's findings, which could be up to 60 days after the public comment period, or longer if an extension is approved by the Chief of Engineers. Upon completing an assessment of all comments, the PDT will work to address outstanding issues (technical, policy, or legal) raised during the concurrent review that can be addressed without additional technical analyses or design; issues requiring additional technical analyses or design may be discussed at the ADM meeting but will be addressed after the Milestone meeting. The Project Management Plan and Review Plan have been updated; the PDT has a projected scope, schedule and budget for completion of the feasibility study. The District Planning Chief, in consultation with the MSC Planning and Policy Chief, confirms the readiness for the ADM meeting, including that the analyses in the draft feasibility report and the recommendations as a result of the concurrent reviews are expected to be compliant with policy and that there is a capable non-Federal sponsor(s) ready to support project implementation. If any outstanding technical, policy or legal issues preclude confirmation or raise doubts as to the identification of the TSP, the decision maker may require that certain technical analyses be completed to address those issues prior to holding the ADM. In a 3-year study, the ADM would be expected within the first 18-24 months of the study. If the ADM meeting has not been held within 24 months of the date of the FCSA signing, the PDT is expected to engage the vertical team via in progress reviews or other means to identify and remove obstacles to move the study forward.

b. Decision-Maker. The decision maker for the Agency Decision Milestone meeting is the MSC Programs Directorate Chief (SES). When decision-making authority has been retained by Headquarters (Paragraph 7), the decision-maker for the Agency Decision Milestone meeting is the HQUSACE Chief of Planning and Policy. The decision makers will assemble a panel of senior leaders to inform their decision. Headquarters Senior Executives invited to participate on

the panel will include: the HQUSACE Chief of Planning and Policy; the HQUSACE Chief of Engineering and Construction Division; the HQUSACE Director of Real Estate; the HQUSACE Chief of Operations and Regulatory Division; and the HQUSACE Director of Contingency Operations. The MSC Programs Directorate Chief (SES) will convene a similar panel to include MSC Directorate chiefs to inform their decision; inclusion of a Headquarters representative of a discipline with high potential impact to the study/project is encouraged (e.g., real estate, engineering & construction, dam and levee safety, operations, planning). The decision-maker can solicit feedback from invited members of the panel in advance of the meeting if they are not available to attend. It is encouraged that a Senior Leader from the appropriate PCX be part of the MSC panel.

c. Decision at the Agency Decision Milestone meeting. At the Agency Decision Milestone meeting, the decision maker affirms the recommended plan and proposed way forward, acknowledging remaining uncertainties and the study and project risk management strategies that will be used in development of feasibility-level cost and design for inclusion in the final feasibility report. If the recommended plan and path forward is not endorsed, the decision maker will identify required actions of the PDT and the study will not proceed into the feasibility-level analysis phase until the decision maker endorses the recommended plan. The ADM marks the decision maker's acknowledgement and acceptance of identified study and implementation risks and the strategies to manage those risks.

d. To support the decision, the DE or Deputy DE along with the District Planning Chief will present the recommended plan. The presentation and discussion will focus on the recommended plan and a qualitative risk assessment of the key uncertainties and study and implementation risk associated with the recommended plan; the objective evaluation of the significant public, technical, legal and policy comments; the PDT's plan to address or resolve significant comments; and the path forward to develop sufficient cost and design information on the recommended plan (and LPP, if applicable) for the final feasibility study report. The presentation and discussion will consider high or significant risks and uncertainties and management of those risks related to both the conduct of the study and the recommended plan.

e. If, by the ADM meeting, the estimated project costs of the potential recommended plan (agency supported plan or locally preferred plan) exceed the estimated project benefits when calculated using a real discount rate of 7 percent, the District will inform the non-federal sponsor that the Office of Management and Budget review required by Executive Order 12322, Water Resources Projects, may advise the ASA(CW) that the project is not consistent with the policy and programs of the President and that as a result, the project may not receive Administration support for authorization after the completion of the feasibility study and reports of the Chief of Engineers and follow-on project funding. The benefit to cost ratio at the 7 percent discount rate is used only to inform the sponsor and provide transparency; it is not to be included in the feasibility study or Report of the Chief of Engineers.

f. Post-Meeting Activities. If the decision maker supports moving ahead with the study, the PDT will develop sufficient cost for authorization purposes and design information on the recommended plan (and LPP) and continue environmental and cultural compliance documentation and activities (NEPA, FWCA, ESA, NHPA, etc.) for the final feasibility study report / NEPA document. If there are significant changes to the TSP presented in the draft

feasibility report, the public review (NEPA) may need to be repeated. The final feasibility report / NEPA document will be completed and all appropriate reviews completed and documented, including DQC, ATR, IEPR, QA, legal review. The final policy review will be the last review, conducted after District transmittal of the final Report package.

11. District Transmittal of Final Report Package for Final Policy Review. Following current guidance in ER 1105-2-100 Appendix H, and Civil Works Review policy, the District Commander provides the signed feasibility report and required components of the final report package for final policy review. The Final Report Submittal package includes the items listed in **Table** 3.

Table 3: Final Report Submittal Package

• District Engineer's Signed Transmittal Letter
• Non-Federal Sponsor's signed letter indicating support for the recommended plan
• Non-Federal Sponsor's Self-Certification of Financial Capability for Decision Documents
• Report summary
• Final report with Environmental Impact Statement (EIS) or Environmental Assessment (EA) and appendices, signed by District Commander
• Unsigned draft Record of Decision (ROD) or draft Finding of No Significant Impact (FONSI)
• Draft Proposed Report of the Chief of Engineers or Director's Report
• Cost Certification and Total Project Cost Summary
• Project Briefing Slides for ASA(CW)/OMB
• Project "Placemat" briefing document, including a map of the study area
• Documentation and certification of DQC, ATR and, if applicable, IEPR
• Draft agency response to IEPR (if applicable) or approved IEPR Exclusion
• District Legal Review Certification
• Signed Project Study Issue Checklist
• Project Guidance Memorandum
• Report mailing list

12. Final Policy and Legal Compliance Review. Final feasibility report packages will be transmitted from the District to the RIT without an intervening review beyond that outlined in the quality management plan when the decision-making authority rests at HQUSACE. The policy review team will conduct the final policy compliance review and complete documentation of review findings.

a. The objective of policy compliance review is to: (1) confirm that the appropriate water resource problems and opportunities have been addressed; (2) confirm that the recommended solution warrants Corps participation, is in accord with current policies, can be implemented in accordance with applicable law and regulation, including but not limited to environmental requirements, and has a sponsor willing and able to fulfill the non-Federal responsibilities; and (3) appropriately represents the views of the Corps of Engineers, the Army, and the President. This review process is critical to achieve corporate agreement at all levels in the USACE on the recommended project.

b. The policy review team will provide documentation of review findings to Washington-level decision makers, generally the Director of Civil Works, Chief of Engineers, and ASA(CW) to inform the proposed Chief's Report or Director's Report.

13. Report Approval. If the study meets any of the three criteria listed in Paragraph 7, Delegation of Milestone Decision Making, the final report will be approved at HQUSACE by the Director of Civil Works. If the study does not meet any of the three criteria listed in Paragraph 7, the final report will be approved at the MSC by the Division Commander. This approval authority cannot be further delegated.

a. Development of the Chief's Report or Director's Report. Consult ER 1105-2-100 Appendix H for actions that occur after transmittal of the final feasibility report package to HQUSACE. Required activities include: State and Agency Review (30 days), final legal and policy compliance review and preparation of the Documentation of Review Findings, final NEPA Review, and preparation of the final Agency Response to IEPR (if applicable).

b. Final decision documents recommending the authorization of new projects and/or modification of existing projects must be approved by the appropriate decision maker prior to the execution of design agreements or project partnership agreements, and the subsequent obligation and expenditure of funds for design or construction.

14. State and Agency Review. The Deputy Commanding General for Civil and Emergency Operations (DCG-CEO) and/or Director of Civil Works (DCW) will approve the release of the proposed Report of the Chief of Engineers and the accompanying final decision and NEPA documents for State and Agency Review as required by the Flood Control Act of 1944, as amended (33 U.S.C. 701-1). The HQUSACE team will process the documents for State and Agency Review. The DCG-CEO and/or DCW may request a deskside briefing to inform his/her decision, coordinated via the RIT Planner and the Policy and Legal Compliance Review Manager.

15. Signed Chief's Report or Director's Report. The feasibility study is complete with the signature of the Chief's Report or Director's Report. The Chief, Office of Water Project Review (OWPR), will certify policy compliance after completion of the State and Agency responses to comment letters received and final NEPA reviews. HQUSACE team will finalize the Chief's Report for the Chief's signature and the ROD or FONSI for signature by the ASA(CW). After the policy compliance certification has been completed, the RIT Planner will process the Chief's Report for signature and will schedule a briefing for the Chief of Engineers, if needed. After policy compliance certification for the Director's Report has been completed, the RIT Planner will process the Director's Report for signature. A briefing for the Chief of Engineers is not needed for a Director's Report.

16. This Planning Bulletin will be incorporated in the next update of Appendices G and H of ER 1105-2-100, the Planning Guidance Notebook, and rescinded at that point.

17. Point of contact for feasibility study procedures is Mr. Joseph H. Redican, [redacted]

JOSEPH H. REDICAN
Acting Chief, Planning and Policy Division
Directorate of Civil Works

U. S. Department of Homeland Security
FEMA Region 6
800 North Loop 288
Denton, TX 76209-3698

FEMA

FEDERAL EMERGENCY MANAGEMENT AGENCY
REGION 6
MITIGATION DIVISION

RE: U.S. Army Corps of Engineers, New Orleans District is preparing a feasibility report with integrated environmental impact statement pursuant to the National Environmental Policy Act (NEPA) OF 1696, as amended, for the proposed South Central Coast Louisiana Flood Risk Management Feasibility Study, located in St. Martin, Iberia and St. Mary Parishes, Louisiana

NOTICE REVIEW/ENVIRONMENTAL CONSULTATION

☐ We have no comments to offer. ☒ We offer the following comments:

WE WOULD REQUEST THAT THE COMMUNITY FLOODPLAIN ADMINISTRATOR BE CONTACTED FOR THE REVIEW AND POSSIBLE PERMIT REQUIREMENTS FOR THIS PROJECT. IF FEDERALLY FUNDED, WE WOULD REQUEST PROJECT TO BE IN COMPLIANCE WITH EO11988 & EO 11990.

St. Martin Parish
Danielle Fontenette, Director
P.O. Box 9
St. Martinville, LA 70582
[redacted]

Iberia Parish
Charlene Picard, FPA
715-A Weldon Street
New Iberia, LA 70560
[redacted]

St. Mary Parish
Tammy Luke
Director of Planning & Zoning
500 Main Street, 5th Floor
Franklin, LA 70538
[redacted]

REVIEWER:

Colleen Sciano
Floodplain Management and Insurance Branch
Mitigation Division
[redacted]

DATE: June 5, 2019

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

April 10, 2019

Regional Planning and Environmental
Division South (RPEDS)

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

Dear Mr. Ranson,

The US Army Corps of Engineers, New Orleans District (District) is preparing a feasibility report with integrated environmental impact statement pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed *South Central Coast Louisiana Flood Risk Management Feasibility Study*, located in St. Martin, Iberia, and St. Mary parishes, Louisiana. The study will determine if the work necessary to sustain 1% level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified. The non-federal sponsor is the Louisiana Coastal Protection and Restoration Authority.

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

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

In accordance with the Council on Environmental Quality (CEQ) final implementing regulations for NEPA (40 C.F.R. § 1501.6 and § 1508.5), the One Federal Decision (EO 13807), and Corps Implementation Guidance *CECW-P Memorandum Implementation Guidance for Feasibility Studies for Executive Order 13807*, 26 September 2018 (Enclosure 2); and CECW-P

Planning Bulletin 2018-01, *Feasibility Study Milestones*, 26 September 2018 (Enclosure 3), the Corps requests your assistance and participation in the NEPA process in the following ways:

- Participate and provide input during agency coordination meetings, including pre-scoping and scoping;
- Consult with you on any relevant technical studies required for the project;
- Provide comments and feedback on identifying the overall scope of the project, study and assessment methodologies, range of alternatives, and important issues and impacts to be evaluated during the environmental review;
- Participate in identifying and eliminating detailed study issues that are not important;
- Identify issues related to your agency's jurisdiction by law and special expertise;
- Review the administrative public drafts of the draft and final environmental impact statement.

Please provide your written acceptance or declination of this invitation on or before 30 days from date of letter. Should you decline to accept our invitation to be a cooperating agency, we advise you provide a copy of your response to CEQ as specified in 40 C.F.R. § 1501.6(c). We look forward to working with your agency on the preparation of the environmental decision document. If you have any questions or would like to discuss in more detail the project, our agencies' respective roles and responsibilities during the study, please contact Mrs. Carrie Schott, Project Manager [redacted] or Mr. Joe Jordan, Environmental Project Lead ([redacted]

Sincerely,

Jodi Creswell

Jodi Creswell
Environmental Planning Branch Chief

Enclosures
ENCL 1 - Study Fact Sheet
ENCL 2 - Implementation Guidance for Feasibility Studies for Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects
ENCL 3 - Planning Bulletin PB 2018-01, Feasibility Study Milestones, 26 September 2018

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See Previous Corps Letter for the enclosures to this letter

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

April 10, 2019

Regional Planning and Environmental
Division South (RPEDS)

Mr. David Bernhart
NMFS – Protected Species Division
263 13th Avenue South
St. Petersburg, FL 33301

Dear Mr. Bernhart,

The US Army Corps of Engineers, New Orleans District (District) is preparing a feasibility report with integrated environmental impact statement pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed *South Central Coast Louisiana Flood Risk Management Feasibility Study*, located in St. Martin, Iberia, and St. Mary parishes, Louisiana. The study will determine if the work necessary to sustain 1% level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified. The non-federal sponsor is the Louisiana Coastal Protection and Restoration Authority.

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

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

In accordance with the Council on Environmental Quality (CEQ) final implementing regulations for NEPA (40 C.F.R. § 1501.6 and § 1508.5), the One Federal Decision (EO 13807), and Corps Implementation Guidance *CECW-P Memorandum Implementation Guidance for Feasibility Studies for Executive Order 13807*, 26 September 2018 (Enclosure 2); and CECW-P

Planning Bulletin 2018-01, *Feasibility Study Milestones*, 26 September 2018 (Enclosure 3), the Corps requests your assistance and participation in the NEPA process in the following ways:

- Participate and provide input during agency coordination meetings, including pre-scoping and scoping;
- Consult with you on any relevant technical studies required for the project;
- Provide comment and feedback on identifying the overall scope of the project, study and assessment methodologies, range of alternatives, and important issues and impacts to be evaluated during the environmental review;
- Participate in identifying and eliminating detailed study issues that are not important;
- Identify issues related to your agency's jurisdiction by law and special expertise;
- Review the administrative public drafts of the draft and final environmental impact statement.

Please provide your written acceptance or declination of this invitation on or before 30 days from date of letter. Should you decline to accept our invitation to be a cooperating agency, we advise you provide a copy of your response to CEQ as specified in 40 C.F.R. § 1501.6(c). We look forward to working with your agency on the preparation of the environmental decision document. If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the study, please contact Mrs. Carrie Schott. Project Manager [redacted], or Mr. Joe Jordan, Environmental Project Lead [redacted]

Sincerely,

Jodi Creswell

Jodi Creswell
Environmental Planning Branch Chief

Enclosures
ENCL 1 - Study Fact Sheet
ENCL 2 - Implementation Guidance for Feasibility Studies for Executive Order 13807, Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects
ENCL 3 - Planning Bulletin PB 2018-01, Feasibility Study Milestones, 26 September 2018

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

05/17/2019

F:SER/NS

Jodi Creswell
Environmental Planning Branch Chief
Corps of Engineers, New Orleans District
7400 Leake Ave
New Orleans, LA 70118-3651

Attention: Carrie Schott, and Joe Jordan

Dear Mrs. Creswell:

NOAA's National Marine Fisheries Service (NMFS) has received your letter dated April 10, 2019, requesting our participation as a Cooperating Agency on the proposed South Central Coast Louisiana Flood Risk Management Feasibility Study. Given that we have special expertise and jurisdiction by law in regards to the Endangered Species Act, Marine Mammal Protection Act, and Magnuson Stevens Act, NMFS agrees to serve as a Cooperating Agency for this project. Due to staffing and travel constraints, and our heavy involvement in several other USACE One Federal Decision Projects, our participation may be limited to our review and comment on draft National Environmental Policy Act documents, teleconferences, and occasional travel to meetings.

We appreciate your invitation to serve as a Cooperating Agency for the proposed South Central Coast Louisiana Flood Risk Management Feasibility Study. Please direct project correspondence related to habitat impacts and/or Essential Fish Habitat consultation to Craig Gothreaux, 5757 Corporate Blvd., Suite 375, Baton Rouge, LA 70808; by telephone at [redacted] or by e-mail at [redacted]. All other project correspondence can be directed to Noah Silverman, at the letterhead address; by telephone at [redacted] or by email at [redacted].

Sincerely,

STRELCHECK AND [redacted]
REW.J.1365863152 [redacted]

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

cc:
GCERC, Renshaw, Lipsy
F/SER, Strelcheck, Blough, Silverman,
F/SER3, Bernhart, Reece
F/SER4, Fay, Dale
F/SER45, Swafford, Gothreaux

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

September 30, 2019

Regional Planning and Environmental
Division South (RPEDS)

Mr. Gary Zimmerer
FEMA – Region VI, Federal Center
800 North Loop 288
Denton, Texas, 76201-3698

Dear Mr. Zimmerer,

The US Army Corps of Engineers, New Orleans District (District) is preparing a feasibility report with integrated environmental impact statement pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed *South Central Coast Louisiana Flood Risk Management Feasibility Study*, located in St. Martin, Iberia, and St. Mary parishes, Louisiana. The study will determine if the work necessary to sustain 100-year level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified. The non-Federal sponsor is the Louisiana Coastal Protection and Restoration Authority.

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

Importantly, the OFD MOU identifies three concurrence points in the environmental review process where the lead Federal agency must request the concurrence of cooperating agencies with authorization decision responsibilities. We are at Concurrence Point #2 - Alternatives to be Carried Forward for Evaluation. This District is seeking your agency's concurrence on the project's final array of alternatives being carried forward.

The District recently narrowed its list of feasible alternatives (Enclosure 1). The final array of alternatives includes both nonstructural and structural measures. Based on costs versus

flood risk management benefit, the tentatively selected plan only includes nonstructural measures within the 25-year floodplain. Nonstructural measures include elevating residential structures and flood proofing nonresidential structures. This measure may also include buy-outs.

Cooperating agencies have 10 days to concur or non-concur with the array of alternatives. Concurrence means the information is sufficient for that stage in the process, and the environmental review process may proceed.

If the project changes or if additional information becomes available, the District will contact your agency as soon as possible to seek concurrence on any new alternatives.

Please provide your agency's alternative concurrence/nonoccurrence 10 days from date of this letter. We look forward to working with your agency on this project and appreciate the working relationship thus far. If you have any questions or would like to discuss in more detail, please contact Mr. Joe Jordan, Environmental Project Lead [redacted]

Sincerely,

Jodi Creswell

Jodi Creswell
Environmental Planning Branch Chief

Enclosure

List of Final Array of Alternatives Considered For South Central Coast, LA

Alt. #	Measures				
1	Ring Levee 1+2 (East City of Delcambre, City of New Iberia, Port of Iberia)	Levees West of Berwick (Ex-1)	Morgan City Levees (Ex-16, Ex-22, Ex-21, EX-20, Ex 19)	Nonstructural	Wave attenuation structure shoreline-feature dependent upon levee justification will be refined post TSP, would reduce long term O&M
2	Ring Levee 2-Port of Iberia	Levees West of Berwick (Ex-1)	Morgan City Levees (Ex-16, Ex-22, Ex-21, EX-20, Ex 19)	Nonstructural	Wave attenuation structure shoreline-feature dependent upon levee justification will be refined post TSP, would reduce long term O&M
3	N/A	Levees West of Berwick (Ex-1)	Morgan City Levees (Ex-16, Ex-22, Ex-21, EX-20, Ex 19)	Nonstructural	Wave attenuation structure shoreline-feature dependent upon levee justification will be refined post TSP, would reduce long term O&M
4	Ring Levee 1+2 (East City of Delcambre, City of New Iberia, Port of Iberia)	N/A		Nonstructural	Wave attenuation structure shoreline-feature dependent upon levee justification will be refined post TSP, would reduce long term O&M
5	Ring Levee 2-Port of Iberia	N/A		Nonstructural	Wave attenuation structure shoreline-feature dependent upon levee justification will be refined post TSP, would reduce long term O&M
6a	N/A	N/A	N/A	Nonstructural 25 year Floodplain	N/A
6b	N/A	N/A	N/A	Nonstructural 50 year Floodplain	N/A
6c	N/A	N/A	N/A	Nonstructural 100 year Floodplain	N/A
7	No Action				

Enclosure

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

September 30, 2019

Regional Planning and Environmental
Division South (RPEDS)

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

Dear Mr. Ranson,

The US Army Corps of Engineers, New Orleans District (District) is preparing a feasibility report with integrated environmental impact statement pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed *South Central Coast Louisiana Flood Risk Management Feasibility Study*, located in St. Martin, Iberia, and St. Mary parishes, Louisiana. The study will determine if the work necessary to sustain 100-year level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified. The non-Federal sponsor is the Louisiana Coastal Protection and Restoration Authority.

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Sincerely,

Jodi Creswell

Jodi Creswell
Environmental Planning Branch Chief

Enclosure

2

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2	Ring Levee 2-Port of Iberia	Levees West of Berwick (Ex-1)	Morgan City Levees (Ex-16, Ex-22, Ex-21, EX-20, Ex 19)	Nonstructural	Wave attenuation structure shoreline-feature dependent upon levee justification will be refined post TSP, would reduce long term O&M
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5	Ring Levee 2-Port of Iberia	N/A		Nonstructural	Wave attenuation structure shoreline-feature dependent upon levee justification will be refined post TSP, would reduce long term O&M
6a	N/A	N/A	N/A	Nonstructural 25 year Floodplain	N/A
6b	N/A	N/A	N/A	Nonstructural 50 year Floodplain	N/A
6c	N/A	N/A	N/A	Nonstructural 100 year Floodplain	N/A
7	No Action				

Enclosure

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

September 30, 2019

Regional Planning and Environmental
Division South (RPEDS)

Roy E. Crabtree, Ph.D.
Regional Administrator
National Oceanic and Atmospheric Administration
National Marine Fisheries Service Southeast Regional Office
263 13th Avenue South
St. Petersburg, FL 33701-5505

Dear Dr. Crabtree,

The US Army Corps of Engineers, New Orleans District (District) is preparing a feasibility report with integrated environmental impact statement pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed *South Central Coast Louisiana Flood Risk Management Feasibility Study*, located in St. Martin, Iberia, and St. Mary parishes, Louisiana. The study will determine if the work necessary to sustain 100-year level of hurricane storm damage risk reduction is technically feasible, environmentally acceptable, and economically justified. The non-Federal sponsor is the Louisiana Coastal Protection and Restoration Authority.

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Sincerely,

Jodi Creswell

Jodi Creswell
Environmental Planning Branch Chief

Enclosure

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2	Ring Levee 2-Port of Iberia	Levees West of Berwick (Ex-1)	Morgan City Levees (Ex-16, Ex-22, Ex-21, EX-20, Ex 19)	Nonstructural	Wave attenuation structure shoreline-feature dependent upon levee justification will be refined post TSP, would reduce long term O&M
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6a	N/A	N/A	N/A	Nonstructural 25 year Floodplain	N/A
6b	N/A	N/A	N/A	Nonstructural 50 year Floodplain	N/A
6c	N/A	N/A	N/A	Nonstructural 100 year Floodplain	N/A
7	No Action				

Enclosure

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

10/02/2019 F:SER/NS

Jodi Creswell
Environmental Planning Branch Chief
Corps of Engineers, New Orleans District
7400 Leake Ave
New Orleans, LA 70118-3651

Attention: Joe Jordan and Carrie Schott

Dear Ms. Creswell:

As you know, on May 17, 2019 NOAA's National Marine Fisheries Service (NMFS) accepted your invitation to participate as a Cooperating Agency for the USACE's proposed South Central Coast Louisiana Flood Risk Management Feasibility Study. Based on the USACE's No Effect determinations (dated September 30, 2019), made in accordance with the Magnuson–Stevens Fishery Conservation and Management Act and the Endangered Species Act, the range of alternatives proposed by the USACE are all located outside of the jurisdiction of NMFS. Therefore, we are withdrawing as a Cooperating Agency for this project. NMFS is currently participating as a Cooperating Agency in many other USACE Feasibility Studies across the Southeast and Caribbean, and we must focus our limited resources on those priority projects that are likely to have impacts under our jurisdiction.

We appreciate your invitation, and look forward to continued cooperation with you on the many other USACE projects in your district that we are working on. Should the status of your project change, and/or if different alternatives are added that could fall under NMFS' jurisdiction, please do not hesitate to contact us.

Sincerely,

STRELCHECK.AND
REW.J.1365863152[redacted]

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

cc:
GCERC, Renshaw, Lipsy
F/SER, Strelcheck, Blough, Silverman,
F/SER3, Bernhart, Reece, Heublin
F/SER4, Fay, Swafford, Gothreaux

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

November 20, 2019

Regional Planning and Environmental
Division South (RPEDS)

Mr. Gary Zimmerer
FEMA Region VI, Federal Center
800 North Loop 288
Denton, Texas, 76201-3698

Dear Mr. Zimmerer,

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Importantly, the OFD MOU identifies three concurrence points in the environmental review process where the lead Federal agency must request the concurrence of cooperating agencies with authorization decision responsibilities. We are at Concurrence Point #3 – Preferred Alternative. This District is seeking your agency's concurrence on the project's preferred alternative. The District will fully evaluate this alternative in the upcoming Draft feasibility report with integrated environmental impact statement.

Through several planning iterations, the District determined its preferred alternative based on economic benefit, environmental impacts, and constructability, as well as meeting the project goals and objectives. The District's preferred alternative, or tentatively selected plan, includes nonstructural measures within the 25-year floodplain. This includes elevating

residential structures and flood proofing nonresidential structures within the 25 year floodplain. Enclosure 2 shows the areas of reoccurring damages in the 25 year floodplain. This area represents the preferred alternative's area of influence.

The preferred alternative, or the 25 year floodplain nonstructural plan, would have the following benefits:

- The expected annual benefits is estimated at $74.82 million assuming 100% property owner participation. The estimated cost for implementation is approximately $1.41 billion. The corresponding average annual cost is approximately $53.9 million; with net benefits of $20.8 million resulting in a cost/benefit ratio of 1.39.

- It is expected to reduce risk to life safety from storm surge flooding by floodproofing 3,463 structures. Structures include resident homes, businesses, and critical infrastructure.

- Floodproofing and elevation of critical infrastructure including utilities, parish storage warehouse, police and fire service facilities. This alternative would not impact evacuation routes including Hwy 90, a key regional evacuation route.

- It would not will not degrade coastal habitat and wetlands which provide a natural buffer to storm surge events. Further, this alternative would not impact any listed endangered species, coastal zone resources such as essential fish habitat, marine mammals, or protected refuges, socioeconomic resources, and other natural resources.

Cooperating agencies have 10 days to concur or non-concur with the preferred alternative. Concurrence means the information is sufficient for this stage in the process, and the environmental review process may proceed. If you choose not to respond within 10 business days, the District will consider this as concurrence.

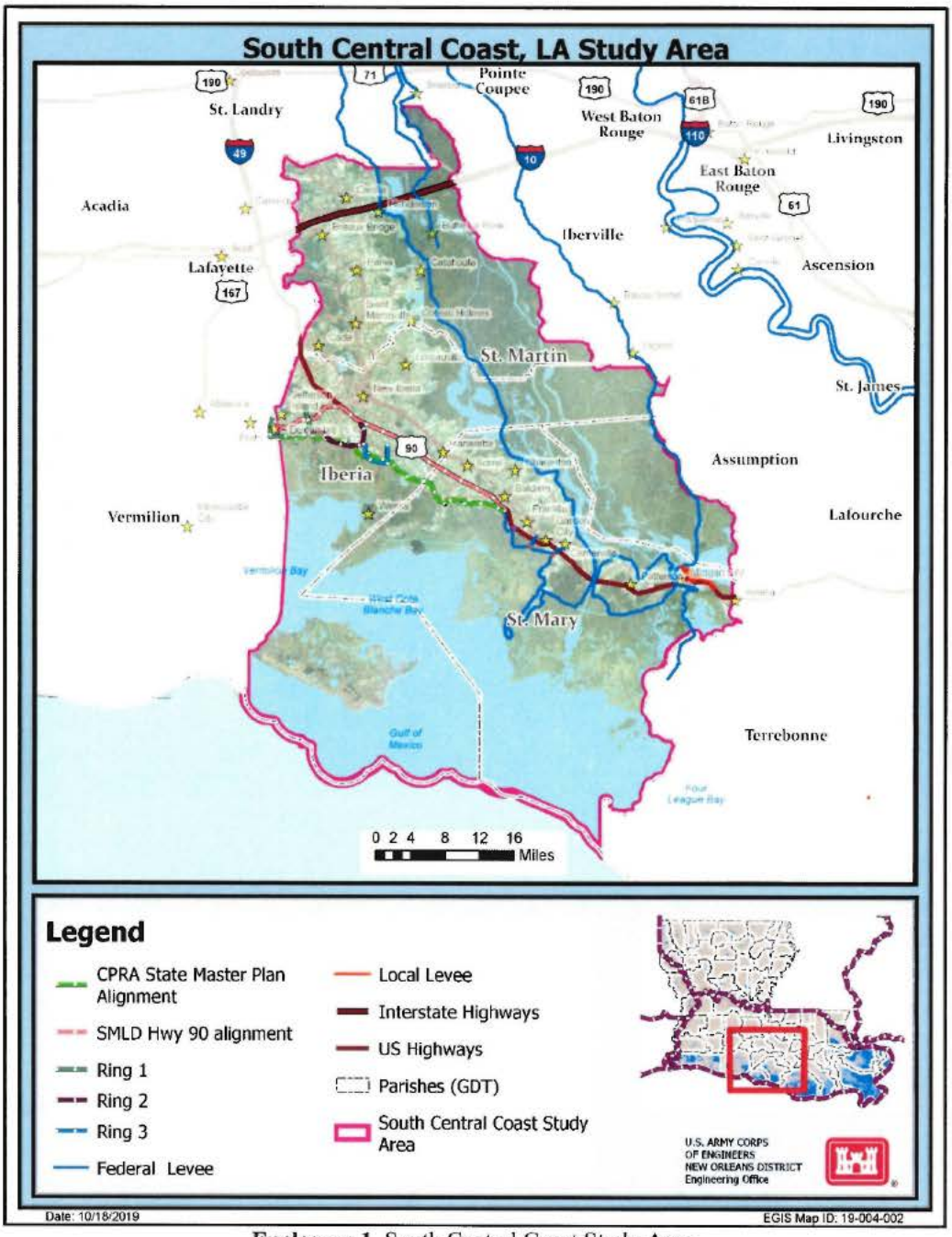
If the project changes or if additional information becomes available, the District will contact your agency as soon as possible to seek concurrence on any change to the preferred alternative.

We look forward to working with your agency on this project and appreciate the working relationship thus far. If you have any questions or would like to discuss in more detail, please contact Mr. Joe Jordan, Environmental Project Lead [redacted]

Sincerely,

Jodi Creswell
Environmental Planning Branch Chief

Enclosure



Enclosure 1 South Central Coast Study Area

Enclosure 2. Geographic Distribution of Structures in the 25 Year Nonstructural Project.

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

November 20, 2019

Regional Planning and Environmental
Division South (RPEDS)

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

Dear Mr. Ranson,

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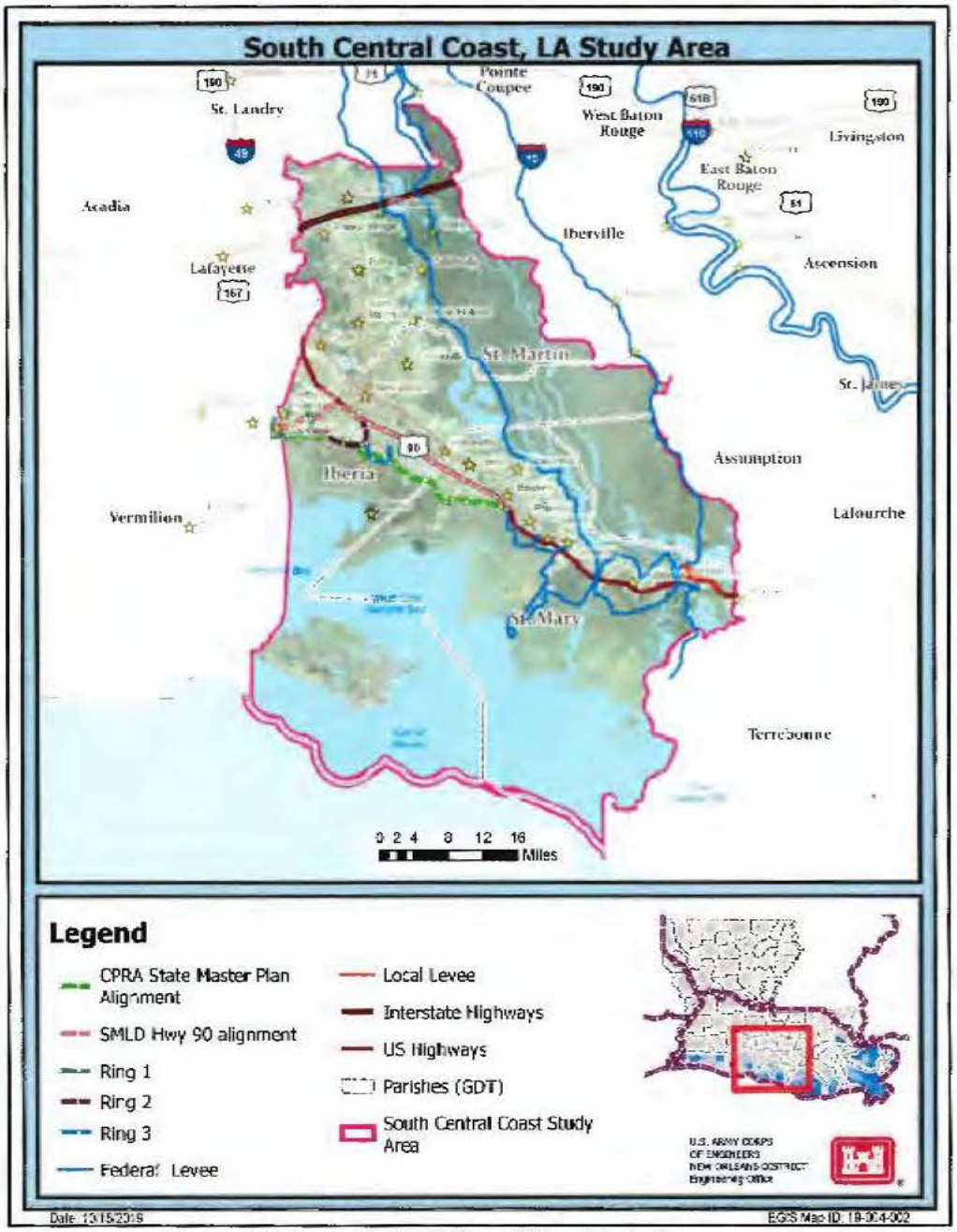
Sincerely,

Jodi Creswell

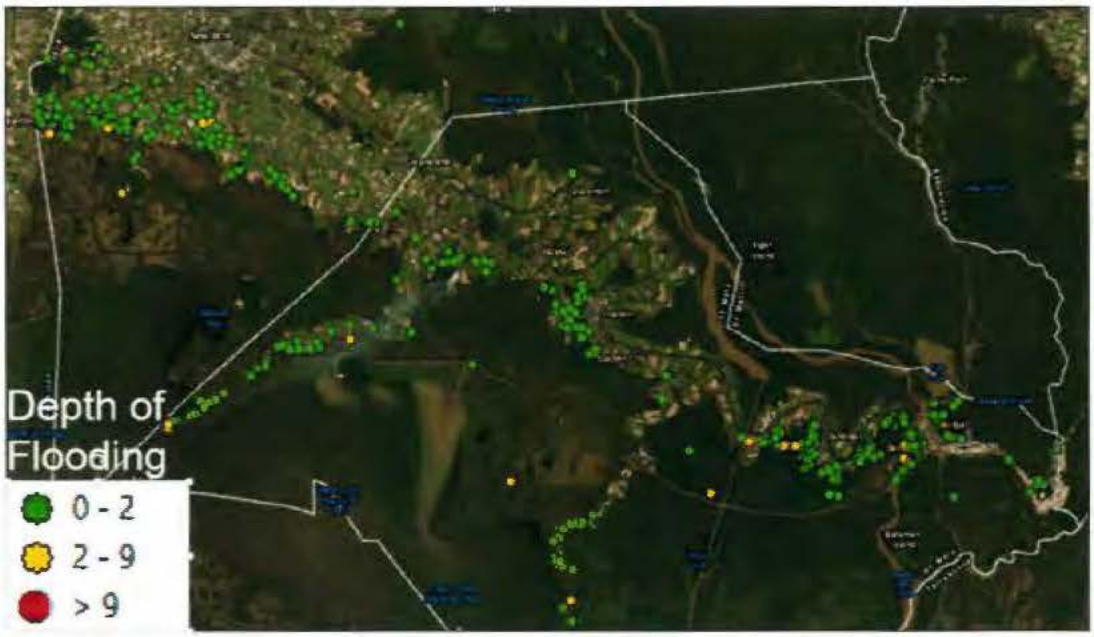
Jodi Creswell
Environmental Planning Branch Chief

Enclosure

2



Enclosure 1 South Central Coast Study Area



Enclosure 2. Geographic Distribution of Structures in the 25 Year Nonstructural Project.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
200 Dulles Drive
Lafayette, Louisiana 70506

December 2, 2019

Mr. Joseph Jordan
U.S. Army Corps of Engineers
Rock Island District
P.O. Box 2004, Clock Tower Building
Rock Island, IL 61204-2004

Dear Mr. Jordan:

Please reference the November 20, 2019, letter from Ms. Jodi Creswell, requesting U.S. Fish and Wildlife Service (Service) concurrence on the preferred alternative for the Corps of Engineer's South Central Coast Louisiana Flood Risk Management Feasibility Study.

We have reviewed Ms. Creswell's letter and information regarding the preferred alternative. The Service concurs with the selected alternative. If you have any further questions regarding our comments, please contact Mr. Ronny Paille of this office [redacted]

Sincerely,

Joseph A. Ranson
Field Supervisor
Louisiana Ecological Services Office