



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

Regional Planning and
Environment Division South
Environmental Planning Branch

DRAFT FINDING OF NO SIGNIFICANT IMPACT (FONSI)

SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT (570)

West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Structural Alignment Surveys and Borings Investigations St. Charles and St. John the Baptist Parishes, Louisiana

Description of the Proposed Action The U.S. Army Corps of Engineers (USACE), Mississippi River Valley Division, Regional Planning and Environment Division South, has prepared this Supplemental Environmental Assessment (SEA) for the New Orleans District (MVN) to evaluate potential impacts of surveys and borings, and related activities necessary to investigate potential changes to the structural alignment levee footprint in St. John the Baptist and St. Charles Parishes, Louisiana (LA), as described in the West Shore Lake Pontchartrain Environmental Impact Statement (2016 WSLP EIS; <http://www.mvn.usace.army.mil/About/Projects/West-Shore-Lake-Pontchartrain/>). Additionally, the SEA also evaluates adding 5 stockpile/staging areas for construction related activities as well as the addition of a mitigation bank credit purchase option into the mitigation plan approved in the 2016 WSLP EIS for compensating bottomland hardwoods (BLH) impacts resulting from the WSLP Project. These actions would occur outside of the levee alignment right of way (ROW) discussed in the 2016 WSLP EIS. The 2016 WSLP EIS and SEA 570 are incorporated herein by reference.

There are five distinct activities in the Proposed Action in addition to the option to purchase bottomland hardwoods (BLH) mitigation bank credits for BLH impacts. They are: creating and improving access routes, clearing and grubbing, stockpiling and staging in new stockpiling/staging areas, soil borings and cone penetration testings (CPTs), and other surveys. The duration for the Proposed Action activities would be approximately nine months. The access roads and stockpiling/staging areas would continue to be used throughout construction of the WSLP Project. The entire survey ROW would be approximately 600 feet wide, with the clearing and grubbing necessary for the soil borings and CPT's occurring within a 100-foot corridor within the 600-foot ROW. All vegetation would be removed within the clearing and grubbing corridor and within the access roads. Tree felling would be performed to minimize danger to trees left standing, existing structures and installations, and employees and other persons. No other areas or activities would involve the felling of trees. Other surveys, which include topographical surveys, cross-sectional surveys, environmental and cultural

resources investigations, and HTRW assessments would be within the approximately 600-foot ROW encompassing the 100-foot clearing and grubbing corridor. The temporary stockpile/staging areas may be used for various activities during the investigative and construction phases of the WSLP Project. Under the current construction schedule, use of these areas is expected to end in 2023.

The Proposed Action would have approximately 166 acres of direct, negative impacts to swamp habitat (approximately 91 AAHUs), and would have approximately 46 acres of direct, negative impacts to BLH habitats (approximately 36 AAHUs). The total impacts to wetlands associated with the proposed action is approximately 213 acres and 127 AAHUs. The No-Action Alternative would be the environmentally preferable plan.

If the results of the proposed surveys and investigations suggest that the WSLP levee alignment should be shifted, a supplemental National Environmental Policy Act (NEPA) document would be prepared to evaluate the alternatives to and impacts of such a potential alignment shift. Additional mitigation above what was already identified in the 2016 WSLP EIS may be needed due to impacts associated with the Proposed Action or if a shift in alignment occurs. If it is determined that the previously-approved WSLP Project mitigation plan is not sufficient to offset the habitat losses to be incurred, the mitigation plan from the 2016 WSLP EIS would be revisited and additionally augmented to ensure all impacts from the WSLP project are fully mitigated, including the impacts identified in SEA 570 and if the alignment is shifted.

Factors Considered in Determination. CEMVN has assessed the impacts of the No Action and the Proposed Action alternatives on important resources, including wetlands, wildlife, aquatic resources/fisheries, threatened and endangered species, water quality, cultural resources, soils and prime and unique farmlands, visual resources (aesthetics), recreational resources, environmental justice, air quality, noise, and transportation. No significant adverse impacts were identified for any of these important resources. All practical means of avoiding adverse environmental effects have been adopted. All unavoidable habitat impacts would be fully mitigated.

In correspondence dated (DATE), (CZD 20140059 mod03), the Louisiana Department of Natural Resources (LDNR) stated that the Proposed Action is consistent, to the maximum extent practicable, with the Louisiana Coastal Resources Program. The Louisiana Department of Environmental Quality (LDEQ) issued a State Water Quality Certification (WQC #####) on (DATE) and the Section 404(b)(1) will be signed at the end of the public review and comment period. Through correspondence dated (March 27, 2019), the USFWS concurred that the Proposed Action would not likely adversely affect any threatened or endangered species in the Project Area. CEMVN has concurred with, or resolved, all draft Fish and Wildlife Coordination Act recommendations contained in a letter from the U.S. Fish and Wildlife Service (USFWS) dated March 11, 2019.

The CEMVN would implement and comply with the stipulations identified in the National Historic Preservation Act (NHPA) Programmatic Agreement regarding the West Shore

Lake Pontchartrain Hurricane Storm Damage Risk Reduction System as executed on May 16, 2014.

Environmental Design Commitments. Other commitments could be added once the Coordination Act Report is finalized.

1. Consideration will be given in the design of project features and timing of construction in an effort to avoid adverse impacts to wading bird colonies. A qualified biologist will inspect the proposed work site for the presence of undocumented nesting colonies during the nesting season.
2. For areas containing nesting wading birds (i.e., herons, egrets, night-herons, ibises, roseate spoonbills, anhingas, and/or cormorants), all activity occurring within 1,000 feet of a nesting colony would be restricted to the non-nesting period.
3. Consideration will be given in the design of project features and timing of construction in an effort to avoid adverse impacts to nesting bald eagles. A qualified biologist will inspect the proposed work site for the presence of undocumented nesting colonies during the nesting season.
4. If a bald eagle's nest is discovered within 1,500 feet of the proposed action, then an evaluation and coordination with USFWS will be performed.
5. All on-site personnel are responsible for observing water-related activities for the presence of manatee(s). All work, equipment, and vessel operation should cease if a manatee is spotted within a 50-foot radius (buffer zone) of the active work area. Once the manatee has left the buffer zone of its own accord (manatees must not be herded or harassed into leaving), or after 30 minutes have passed without additional sightings of manatee(s) in the buffer zone, in-water work can resume under careful observation for manatee(s).
6. Authorizations and permissions would be obtained from Louisiana Department of Wildlife and Fisheries prior to any work on the Maurepas Swamp Wildlife Management Area.

Public Involvement. Public Notice of the release and availability of the draft SEA and FONSI for public comment was published in the New Orleans Advocate on April 3, 2019. It also was mailed to persons and entities on the public mailing list for a 15 day public review and comment period that started April 3, 2019; it was made available for download at <http://www.mvn.usace.army.mil/About/Projects/West-Shore-Lake-Pontchartrain/>.

The Proposed Action has been coordinated with appropriate federal, state, and local agencies and businesses, organizations, and individuals. [Insert information about comments here.]

Conclusion. CEMVN has assessed the potential environmental impacts of the Proposed Action, responded to all public comments received during the public review period, and has determined that the action, if implemented, would cause no significant environmental impacts. Any habitat impacts will be mitigated through implementation of the previously-approved mitigation plan outlined in the 2016 WSLP EIS as supplemented by the option to purchase mitigation bank credits in the Proposed Action, or if that plan is determined to be insufficient to mitigate all impacts of the WSLP Project, additional mitigation alternatives will be evaluated to ensure that lost habitats are replaced in accordance with applicable law.

I have reviewed the SEA #570 and have considered public and agency comments and recommendations. Based on the assessment conducted in SEA #570 and the implementation of the environmental design commitments listed above, I have determined that the Proposed Action will not have significant impacts and does not require the preparation of a Supplemental Environmental Impact Statement.

In accordance with the environmental considerations discussed above, the public interest will be best served by implementing the Proposed Action in Final SEA 570. The plan is justified and in accordance with environmental statutes.

Date

Michael N. Clancy
Colonel, U.S. Army
District Commander