Appendix A Agency Coordination

Annex A: Department of Environmental Quality, Water Quality Certificate – State Water Quality Certification is being prepared and will be finalized prior to signing of the FONSI.

Annex B: Department of Natural Resources, Coastal Zone Consistency – In accordance with Section 307, a Consistency Determination is being prepared for the Proposed Action and will be finalized prior to signing of the FONSI.

Annex C: Draft Fish and Wildlife Coordination Act A Final CAR will be completed with USFWS recommendations and MVN's responses prior to signing of the FONSI.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Louisiana Ecological Services
200 Dulles Drive
Lafayette, Louisiana 70506

March 7, 2019

Colonel Michael N. Clancy
District Commander
U.S. Army Corps of Engineers
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Colonel Clancy:

The U.S. Army Corps of Engineers (USACE), Mississippi River Valley Division, Regional Planning and Environment Division South, has prepared a Supplemental Environmental Assessment (SEA) for the New Orleans District (MVN) to evaluate potential impacts of surveys and borings, and related activities that would investigate potential changes being considered 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/). The Record of Decision (ROD) for the 2016 WSLP EIS was signed by the Assistant Secretary of the Army on September 14, 2016. Potential changes to the WSLP levee alignment in St. John the Baptist and St. Charles Parishes being considered would occur outside of the Right of Way (ROW) described in the 2016 WSLP EIS. Surveys and borings data would further investigate any potential changes, and to aid engineering and design of the levee. Any impacts associated with changes to the structural alignment and other construction related changes would be discussed in subsequent National Environmental Policy Act (NEPA) and Fish and Wildlife Coordination Act (FWCA) documentation.

This report contains an analysis of the impacts on fish and wildlife resources that would result from the implementation of the proposed surveys and borings investigation and provides recommendations to minimize adverse project impacts while maximizing beneficial project impacts on those resources. This draft report has been prepared by the Fish and Wildlife Service (USFWS) under the authority of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), and a copy of the report was be provided to the National Marine Fisheries Service (NMFS) and the Louisiana Department of Wildlife and Fisheries (LDWF) for review and their comments will be included in our final report. This Draft report does not constitute the report of the Secretary of the Interior as required by Section 2(b) of the Fish and Wildlife Coordination Act (FWCA, 48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

PROPOSED ACTION

A map indicating where the Proposed Action would occur is provided (Figure 1).

There are five distinct activities in the Proposed Action: access, clearing and grubbing, stockpiling and staging, soil borings and Cone Penetration Testing (CPTs), and other surveys. Each activity is discussed below. The duration for the Proposed Action would be approximately nine months. The entire survey Right-of-Way (ROW) would be approximately 600 feet (ft) wide, with the clearing and grubbing necessary for the soil borings and CPT's occurring within a 100 ft corridor within the 600 ft ROW. All vegetation would be removed within the clearing and grubbing corridor and within the access roads. All tree felling would be performed to avoid damage to trees left standing, to existing structures and installations, to those under work operations, and with due regard for the safety of employees and others. 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 Hazardous, Toxic, and Radioactive Waste (HTRW) assessments would be within the approximately 600 foot ROW surrounding the 100 foot clearing and grubbing corridor.

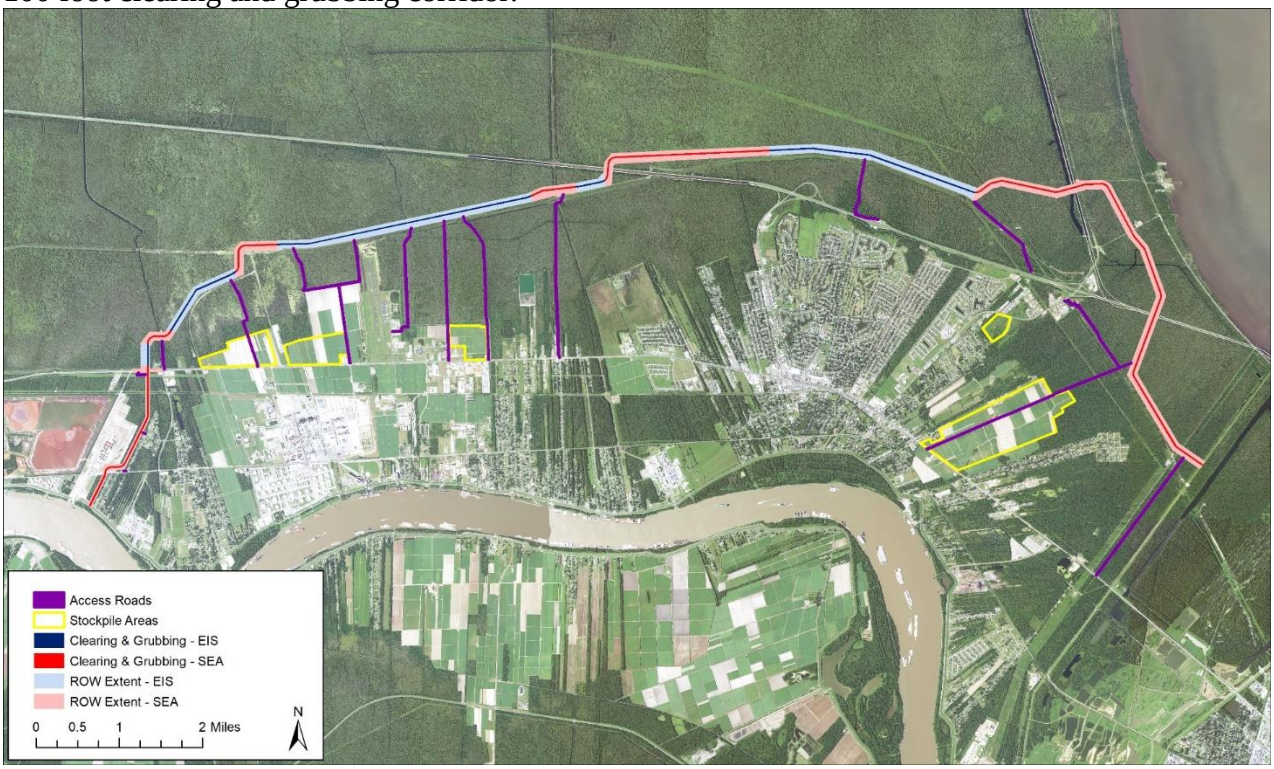


Figure 1: Map showing the Proposed Action. There are 15 access routes, with one access route bifurcating into two roads near the surveys and borings/CPTs area. "Clearing & Grubbing" indicates the extent to which tree felling, borings/CPTs, and stockpiling would occur. "ROW Extent" refers to the extent to which other surveys would occur. Areas with "EIS" are within the ROW from the 2016 WSLP EIS and are shown for reference as they are not part of the Proposed Action. Areas with "SEA" refer to the Proposed Action.

Access

Access for clearing and grubbing of the 100 foot corridor, cross-sectional surveys, soil borings/CPTs, environmental and cultural resources investigations, and HTRW assessments would be from U.S. Highway 61 (Airline Hwy), LA Highway 44, LA Highway 54, 1-10 Service Road, Old US Highway 51, Frenier Road, Prescott Road, other existing roads, trails, pipeline corridors, and along Reserve Canal leading to the alignment (Figure 1). These access routes would be utilized for the delivery of surveys, tree clearing, and boring/CPT equipment. Some of the proposed access routes would require the clearing of vegetation for the movement of this equipment. Clearing and grubbing for access routes would be limited to a 40-foot width, which is

the minimum width necessary for the passage of surveys and borings/CPTs equipment. A 60-foot road width would be allowed for access roads within pipeline ROWs, but a 40 foot width is expected to be required. The extra width would accommodate for special construction considerations to minimize impacts to infrastructure. Coordination with pipeline companies is ongoing to determine the best method to accommodate pipeline infrastructure and reduce environmental impacts. Clearing would consist of the complete removal of all trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris within access route corridors. Debris resulting from access road clearing and grubbing operations could be stockpiled in temporary windrows within access corridors, or within the stockpile and staging areas described below. Felled timber may be chipped on-site prior to hauling and disposal, and other cleared debris would be hauled offsite and disposed of according to applicable laws and regulations. Timber matting or similar measures may be required across some pipeline corridors. Approximately 89 acres have been identified as access routes with a maximum impact to coastal swamp habitat of approximately 64 acres. All equipment to be utilized for the surveys are described in the subsequent sections.

Clearing and Grubbing

Clearing and grubbing would occur within a 100 ft corridor and would provide the necessary work area for the completion of soil boring/CPT activities. The corridor is broken into six distinct segments shown in red in Figure 1 totaling approximately 138 acres and 11.4 linear miles. Approximately 135 of these 138 acres are forested wetlands, with approximately 115 acres being swamp and approximately 20 acres are bottomland hardwoods (BLH). A width of 100 feet is needed for operation of equipment and for stockpiling of cut trees and undergrowth. All trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris would be cleared within the clearing and grubbing corridor. Trees on dry land would be cut flush with the natural ground, while trees in water would be cut flush with the natural ground or mud line underwater. In limited circumstances, the removal of tree stumps and rootballs below the ground surface may be necessary to provide unobstructed and safe access for equipment. Rootball removal is not expected to exceed 20% of the 135 acre corridor.

Trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris resulting from clearing and grubbing operations could be stockpiled in temporary windrows within the clearing and grubbing corridor, spaced approximately every 300 feet. Windrows would alternate between land side and flood side of the project centerline. Debris may be placed in neat windrows or piles with the tree limbs trimmed sufficiently to make the windrow as small as practicable. No windrowed debris or cleared material shall extend beyond the 100- foot clearing and grubbing limit. Debris could also be stockpiled in the stockpile and staging areas described below. Debris removal would occur during the levee construction phase.

Stockpiling

Two options for temporary stockpiling of trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris resulting from clearing and grubbing operations would be available to the contractor. Material could be stockpiled within any of the five stockpile areas shown in Figure 1, or material could be temporarily stockpiled within the 100-foot clearing and grubbing corridor or access roads ROWs. Descriptions of how material could be stockpiled within the clearing and grubbing corridor and access roads are discussed in their respective sections.

The five temporary stockpile areas total approximately 1,020 acres (583 acres, 40 acres, 98 acres, 143 acres, and 156 acres from east to west; Figure 1). These sites may be used for the temporary storage of felled trees, temporary staging of equipment for the Proposed Action that is described in other sections, and trailers may be used to serve as office space during the Proposed Action.

These temporary stockpile areas may also be used for various activities during the construction phase of the WSLP Project, such as those described herein. Use of these stockpiles during construction is expected to end in 2023. The sites may also be used for the temporary storage of felled trees, temporary staging of the construction contractors' levee construction equipment such as bulldozers, excavators, pile driving equipment, and/ or temporary storage of construction materials such as steel sheet piling, steel piles, and other materials and items for construction of pump stations and drainage structures. The construction contractor or USACE may also set up trailers to serve as office space during construction of the levees or floodwalls within one or more of the stockpile areas.

They could be used for temporary stockpiling of clay and sand for levee or floodwall construction. Up to 3,000,000 cubic yards of clay material and approximately 1,000,000 cubic yards of sand would be used to construct the WSLP Project levee. These materials could be transported to the stockpile areas from the Bonnet Carre' Spillway (BCS) borrow pits cleared in the 2016 WSLP EIS using dump trucks. Sand would be from commercially available sources or within the BCS. This would take up to 225,000 truck trips to haul 4,000,000 cubic yards of material. All stockpile areas are located along major highways. Material would be hauled from BCS to five stockpile areas exclusively via Highway 61 for the four stockpile areas on Highway 61, and via Highways 61 and 51 for the northern most stockpile area that is on Highway 51.

There would be no impacts to wetlands within any of these temporary stockpile areas for any of the activities for the duration of the WSLP Project.

Soil Borings and Cone Penetration Testing (CPTs)

Soil borings and CPTs would be conducted within the clearing and grubbing corridor at intervals of 500 feet. The borings would consist of undisturbed type borings. Borings and CPTs would be taken with truck and track mounted equipment. The boring holes would be backfilled in accordance with standard criteria. Two and four wheel drive vehicles, standard boring and land surveying equipment, machetes, chainsaws, a small boat and trailer (as required), and marsh buggies would be used.

Other Surveys

Other surveys include topographical surveys to locate features and utilities, define the project baseline alignment, and define ROW extent; as well as those necessary to complete cross-sections, HTRW assessments, cultural resource investigations, and environmental surveys. Small vehicles, such as all-terrain vehicles, other similar small 4x4s,small boats, air boats, and marsh buggies would be allowed to operate within the approximately 600 foot ROW surrounding the clearing and grubbing corridor (see other surveys area in Figure 1). Foot traffic would also be permitted. Cross-sectional surveys would occur at intervals between 50 and 300 feet.

Environmental surveys would include vegetative surveys such as plant identification and measurements. HTRW assessments would include traversing the area to identify potential HTRW concerns. If any suspected HTRW concerns are noticed, soil and/or water samples may be taken.

Environmental surveys and HTRW assessments would be performed by two to four person crews that would traverse the area.

Similarly, cultural resources (CR) investigations would be completed with two to four person crews. Some CR subsurface investigations may be required to determine if buried cultural remains exist within the site limits. The subsurface investigation would be accomplished by hand auger or shovel. If items of seeming cultural significance are discovered during the initial traverse of the site, the CR investigation would be expanded to include, at the most, a series of 2-meter by 2-meter holes or 1-meter wide trenches evacuated to depths of 1 to 2 meters. Excavation would be accomplished by hand augers and/or shovels. All excavations would be held to the absolute minimum required to determine the apparent existence or non-existence of significant cultural remains. All excavations would be backfilled upon completion of the excavations. Artifacts discovered during the survey would be marked for identification and removed from the site for analysis and examination to determine historical significance. Permission to remove the items from the site would be obtained through personal contact with the landowner. All objects removed from the site would be returned to the landowner, if required, upon completion of the analysis and report. If the landowner does not require the return of the objects discovered, they would be donated to the State Historic Preservation Officer (SHPO) for permanent curation. If the investigations reveal the existence of cultural remains significant enough to render the site eligible for the National Register, additional ROE for more extensive excavations and mitigation would be required.

No roads, fences, buildings, or other improvements within the area would be disturbed. No trees would be felled outside of the 100 ft clearing and grubbing corridor in Figure 1. Branch cutting would be allowed for small vehicle passage, if necessary within the 600 ft ROW.

FISH AND WILDLIFE RESOURCES

The dominant forested habitat types in the study area are bottomland hardwoods and swamp. Vegetation commonly found in these wetland areas includes sugarberry, red maple, sweetgum, American elm, black willow, green ash, overcup oak, Nuttall oak, and American sycamore in the bottomland hardwood habitat and bald cypress, tupelogum, blackgum, lizard's tail, swamp lily, buttonbush, swamp privet, and duckweeds in the swamp habitat. Scattered portions of upland hardwoods, scrub/shrub uplands, and scrub/shrub wetlands also are found along and within the developed areas. Except for Lake Pontchartrain, Lake Maurepas, and the Mississippi River, which border the study area, most of the open water within the study area consists mainly of tidal streams, canals, and ditches. The shallower open water areas may support submerged and/or floating aquatic vegetation such as coontail, pondweeds, naiads, fanwort, water hyacinth, pondweeds, American lotus, and widgeongrass.

Development for residential, commercial, and industrial purposes is located immediately adjacent to U.S. 61 and along the Mississippi River levee. Agriculture, primarily sugarcane production, is also extensive within that portion of the study area. Residential and commercial development is also becoming extensive between U.S. 61 and I-10, as wetlands are drained and/or filled to accommodate growth. Most of U.S. 61 and portions of I-10 are not elevated above the swamps they cross thus impacting the hydrology of those swamps. The wetland complex they cross is part of the largest contiguous wetland area in Louisiana.

The fresh and low-salinity water of the study area supports many commercially and recreationally important fishes such as largemouth bass, black crappie, sunfishes, catfishes, freshwater drum, buffalos, and gars. The low-salinity waters and wetlands of the study area also provide habitat for many species of estuarine-dependent fishes and shellfishes including southern flounder, sand seatrout, spotted seatrout, Atlantic croaker, striped mullet, Gulf menhaden, blue crab, and white shrimp. Decaying plant material (detritus) is carried by surface runoff and tidal action from the study area wetlands into the adjacent estuarine waters, substantially contributing to the detritus-based food web that supports a high level of estuarine-dependent finfish and shellfish productivity.

The coastal marshes and forested wetlands of the Lake Pontchartrain Basin have been identified by the North American Waterfowl Management Plan (NAWMP), Gulf Coast Joint Venture (GCJV): Mississippi River Coastal Wetlands Initiative as a key waterfowl wintering area. The Gulf Coast is the terminus of the Central and Mississippi Flyways and is therefore one of the most important waterfowl areas in North America, providing both wintering and migration habitat for significant numbers of the continental duck and goose populations that use both flyways. The Mississippi River Coastal Wetlands Initiative area is dominated by coastal marsh, forested swamps, and seasonally flooded bottomland hardwoods that provide habitat for several species of wintering waterfowl. Wood ducks are the primary waterfowl species in forested wetlands, while other ducks (e.g., mallard, American widgeon, gadwall, and lesser scaup) use those forested habitats to a lesser degree. One strategy to achieving the goals and objectives of the GCJV is to maintain the existing functions and values of those habitats and prevent additional losses and degradation of those wetlands (Wilson 2002). Numerous other game birds are present in or adjacent to the study area, including American coot, rails, gallinules, wood duck, common snipe, and American woodcock. Non-game bird species also utilize the study area marshes, including least bittern, pied-billed grebe, black-necked stilt, American avocet, killdeer, black-bellied plover, willet, and various species of sandpipers, gulls, and terns. The study area supports many resident and transient hawks and owls including red-shouldered hawk, barn owl, common screech owl, great horned owl, and barred owl. Winter residents include red-tailed hawk, northern harrier, and American kestrel, while the Mississippi kite, swallow-tailed kite and broad-winged hawk are common summer residents. In addition, the project area supports many species of resident and migratory passerine birds. Some neo-tropical migrants that are currently experiencing a population decline (e.g., white-eyed vireo, northern parula) are dependent on large forested acreage to successfully reproduce. Also, present are cuckoos, swifts, hummingbirds, nighthawks, woodpeckers, and the belted kingfisher.

Important game mammals occurring in the project area include white-tailed deer, eastern cottontail, swamp rabbit, gray squirrel, and fox squirrel. Commercially important furbearers include muskrat, nutria, river otter, raccoon, and mink. Other mammals expected include various species of insectivores, bats, rodents, and the nine-banded armadillo.

Numerous amphibians are expected to occur on stream and lake edges, ponds, and in forested wetlands of the study area including lesser siren, three-toed amphiuma, Gulf Coast toad, eastern narrow-mouthed toad, spring peeper, green treefrog, cricket frog, and bullfrog. Commercially important reptiles found in the streams, canals, and open water areas include American alligator, snapping turtle, alligator snapping turtle, smooth softshell turtle, spring softshell turtle, and diamondback terrapin. Other reptiles commonly found in the project area include red-eared turtle, painted turtle, Mississippi mud turtle, stinkpot, green anole, broad-headed skink, various water snakes, western ribbon snake, speckled kingsnake, and the western cottonmouth.

Threatened and Endangered Species

The Gulf sturgeon (Acipenser oxyrhynchus desotoi), federally listed as a threatened species, is an anadromous fish that occurs in many rivers, streams, and estuarine waters along the northern Gulf coast between the Mississippi River and the Suwannee River, Florida. In Louisiana, Gulf sturgeon have been reported at Rigolets Pass, rivers and lakes of the Lake Pontchartrain basin, and adjacent estuarine areas. On March 19, 2003, the Service and the National Marine Fisheries Service (NMFS) published a final rule in the Federal Register (Volume 68, No. 53) designating critical habitat for the Gulf sturgeon in Louisiana, Mississippi, Alabama, and Florida. Portions of the Pearl and Bogue Chitto Rivers, Lake Pontchartrain east of the Lake Pontchartrain Causeway, all of Little Lake, The Rigolets, Lake St. Catherine, and Lake Borgne within Louisiana were included in that designation. While sturgeon have been documented in study area waterways, those waterways are not designated critical habitat.

Federally listed as an endangered species, West Indian manatees (Trichechus manatus) occasionally enter Lakes Pontchartrain and Maurepas, and associated coastal waters and streams during the summer months (i.e., June through September). Manatee occurrences appear to be increasing, and they have been regularly reported in the Amite, Blind, Tchefuncte, and Tickfaw Rivers, and in canals within the adjacent coastal marshes of Louisiana. They have also been occasionally observed elsewhere along the Louisiana Gulf coast. Should the proposed project involve activity in the aquatic environment in those areas during summer months, further consultation with this office will be necessary.

Migratory Bird Treaty Act (MBTA) and Bald and Golden Eagle Protection Act (BGEPA)

The proposed project area forested wetlands may provide nesting habitat for the bald eagle (Haliaeetus leucocephalus), which was officially removed from the List of Endangered and Threatened Species as of August 8, 2007. However, the bald eagle remains protected under the MBTA and BGEPA. There are approximately 28 known bald eagle nests in the study area. Comprehensive bald eagle survey data have not been collected by the Louisiana Department of Wildlife and Fisheries (LDWF) since 2008, and new active, inactive, or alternate nests may have been constructed within the proposed project area since that time. Bald eagles typically nest in large trees located near coastlines, rivers, or lakes that support adequate foraging from October through mid-May. In southeastern Louisiana parishes, eagles typically nest in mature trees (e.g., bald cypress, sycamore, willow, etc.) near fresh to intermediate marshes or open water. During any project construction, on-site personnel should be informed of the possible presence of nesting bald eagles in the vicinity of the project boundary, and should identify, avoid, and immediately report any such nests to this office. If a bald eagle nest occurs or is discovered within 1,500 feet of the proposed project area, then an evaluation must be performed to determine whether the project is likely to disturb nesting bald eagles. That evaluation may be conducted on-line at: https://www.fws.gov/southeast/es/baldeagle/. Following completion of the evaluation, that website will provide a determination of whether additional consultation is necessary.

The proposed project would be located in an area where colonial nesting waterbirds may be present in the project area. There are approximately 6 known nesting bird colonies in the study area. Colonies may be present that are not currently listed in the database maintained by LDWF. That database is updated primarily by (1) monitoring previously known colony sites and (2)

augmenting point-to-point surveys with flyovers of adjacent suitable habitat. Although several comprehensive coast-wide surveys have been recently conducted to determine the location of newly-established nesting colonies, we recommend that a qualified biologist inspect the proposed work site for the presence of undocumented nesting colonies during the nesting season because some waterbird colonies may change locations year-to-year.

For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, and roseate spoonbills), anhingas, and/or cormorants, all activity occurring within 1,000 feet of a rookery should be restricted to the non-nesting period, depending on the species present. Below is the list of colonial nesting birds that may be found and the corresponding activity window during which the project may occur without affecting nesting wading bird colonies. Please note no part of the project should occur outside those windows.

Species	**Project Activity Window/Non-Nesting Period**
Anhinga	July 1 to March 1
Cormorant	July 1 to March 1
Great Blue Heron	August 1 to February 15
Great Egret	August 1 to February 15
Snowy Egret	August 1 to March 1

In addition, we recommend that on-site contract personnel including project-designated inspectors be trained to identify colonial nesting birds and their nests, and avoid affecting them during the breeding season (i.e., the time period outside the activity window). Should on-site contractors and inspectors observe potential nesting activity, coordination with the LDWF and the Service should occur.

Species	**Project Activity Window/Non-Nesting Period**
Little Blue Heron	August 1 to March 1
Tricolored Heron	August 1 to March 1
Reddish Egret	August 1 to March 1
Cattle Egret	September 1 to April 1
Green Heron	September 1 to March 15
Black-crowned Night-Heron	September 1 to March 1
Yellow-crowned Night-Heron	September 1 to March 15
Ibis	September 1 to April 1
Roseate Spoonbill	August 1 to April 1

Managed Areas

The LDWF operates the Maurepas Swamp Wildlife Management Area (MSWMA) which encompasses over 100,000 acres of wetlands in and around the study area. Portions of the WMA would be bisected by the levee alignment. Unavoidable direct and indirect impacts to the Maurepas Swamp WMA should be mitigated for on the WMA. In addition, the Maurepas Swamp WMA could be considered for mitigation of unavoidable impacts to other swamp areas. Please contact the LDWF, Region 7 Office (225/765-2360), for further information regarding any additional permits that may be required to perform work on that WMA.

Essential Fish Habitat

The project may be located within an area identified as Essential Fish Habitat (EFH) by the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA, Magnuson-Stevens Act; P.L. 104-297). The USACE should consult with the NMFS regarding EFH.

Species of Management Concern

Species of fish, wildlife, and plants labeled as "S1" and S2" by the Louisiana Department of Wildlife and Fisheries are extremely and very rare species, respectively, that are vulnerable to extirpation in Louisiana. These species, along with those identified as priority species by the Gulf Coast Joint Venture are species of management concern. Continued population declines could result in these species becoming candidates for listing under the Endangered Species Act. Some of these species may also be referred to as at-risk species; the USFWS has defined at-risk species as those species that have either been proposed for listing, are candidates for listing, or have been petitioned for listing. In addition, species of concern that would use study area's swamp, bottomland hardwood, and fresh wetland habitats include the glossy ibis, seaside sparrow, mottled duck, and the peregrine falcon.

IMPACTS OF SELECTED PLAN

Clearing of existing trees for access roads and in the 100 ft corridor of the proposed levee alignment for investigations will impact 158 acres (91 AAHUs) of swamp and 42 acres (36 AAHUs) of bottomland hardwoods (BLH) for a total of 200 acres (127 AAHUs) of forested wetlands. Of these impacts 46 acres (26 AAHUs) of swamp and 3 acres (2 AAHUs) of BLH are on the Maurepas Swamp Wildlife Management Area. Impacts to these forested wetlands is considered to result in the permanent loss of trees. Even if the vegetation would be allowed to regrow the low recruitment of trees within the area indicate regrowth is unlikely. All unavoidable impacts for surveys and borings and related work will be mitigated for using the mitigation plan outlined in the 2016 WSLP EIS. Mitigation plan features would occur in the project area vicinity.

The Proposed Action could have minor indirect impacts to vegetation resources of an unknown nature due to altered hydrology. Clearing and grubbing of the 100 foot corridor and improvement of access roads could alter hydrology which could impact vegetation resources. The nature of these impacts are not known. In order to help combat changes in hydrology the Service recommends the additions of culverts every 300 feet where building of access roads occurs through wetlands and/or upon completion of construction activities, access roads should be degrading to restore natural hydrology.

USFWS POSITION AND RECOMMENDATIONS

Implementation of surveys and borings, and related activities, for the West Shore Lake Pontchartrain levee project will result in the direct loss of approximately 158 acres (91 AAHUs) of swamp and 42 acres (36 AAHUs) of bottomland hardwoods. Of these impacts 46 acres (26 AAHUs) of swamp and 3 acres (2 AAHUs) of BLH are on the Maurepas Swamp Wildlife Management Area.

The Service's Mitigation Policy (Federal Register, Volume 46, No. 15, January 23, 1981) identifies four resource categories that are used to ensure that the level of mitigation recommended by Service biologists will be consistent with the fish and wildlife resource values involved.

Considering the high value of forested wetlands for fish and wildlife and the relative scarcity of that habitat type on a basin-wide scale, that habitat type is designated as Resource Category 2, the mitigation goal for which is no net loss of in-kind habitat value.

We appreciate the Corps' consideration of our below recommendations for the WSLP Surveys and Borings. Provided that the below recommendations are included and adequately addressed in the final feasibility report, the Service does not oppose implementation of the surveys and borings for WSLP.

The Service recommends that the following be implemented concurrently with project construction:

1. For proposed work on the Maurepas Swamp WMA, LDWF requires the USACE obtain a Letter of Authorization request to construct a survey right-of-way, which will require clearing forested wetland habitat within MSWMA, AND obtain the survey permission for all preliminary survey activities (i.e., Timber Assessments) to ensure the safety of crews within the recreational hunting seasons. The permission request shall include specific timeframe (dates) that survey activities will occur.

2. At this time, LDWF and the Service are requesting a letter of intent regarding the alignment of the proposed levee system. Currently, there are no objections to proposed activities to clear a new right-of-way with appropriate compensatory mitigation; however LDWF expresses concern for habitat loss in the event that the alignment is changed after completion of the survey and soil boring evaluations. The referenced letter of intent would provide assurances that levee construction will occur along the centerline of the cleared survey right-of-way.

3. In an effort to reduce impacts, LDWF and the Service recommends that the USACE consider reducing the proposed 100' right-of-way to the greatest extent practicable. Reducing the survey right-of-way to 50' - 75' in width is deemed more reasonable for the nature of these activities. Please provide justification for the need of the proposed right-of-way width if reduction is not possible.

4. LDWF recommends the value of the cleared timber be determined in consultation with LDWF and appropriate compensation must be provided to LDWF.

5. LDWF and the Service recommend that all impacts occurring on MSWMA shall be mitigated for on MSWMA or within the LDWF's WMA primarily system. Therefore in an effort to provide meaningful and permanent mitigation, LDWF primarily desires the USACE investigate the recommended mitigation projects identified in the attached map and summary (Appendix A). LDWF is open to discussing land donations via acquisition of adjacent properties by the USACE.

6. The proposed levee alignment will isolate portions of MSWMA on the protected side of the levee. These fragmented and isolated properties may provide less value as for wildlife and recreation. LDWF recommends discussions take place on how best to address these losses.

7. Avoid adverse impacts to bald eagles and their nesting activities through careful design of project features and timing of construction. During any project construction, on-site personnel should be informed of the possible presence of nesting bald eagles in the vicinity of the project boundary, and should identify, avoid, and immediately report any such nests to this office. If a bald eagle nest occurs or is discovered within 1,500 feet of the proposed project area, then an evaluation must be performed to determine whether the project is likely to disturb nesting bald eagles. That evaluation may be conducted on-line at: https://www.fws.gov/southeast/es/baldeagle/. Refer to the Fish and Wildlife Resources section of this report for more details.

8. Avoid adverse impacts to nesting wading bird colonies through careful design project features and timing of construction. The Service and LDWF recommend that a qualified biologist inspect the proposed work site for the presence of undocumented nesting colonies during the nesting season (i.e., September 1 through February 15 for wading bird nesting colonies and October through mid-May for bald eagles). Refer to the Fish and Wildlife Resources section of this report for more details.

9. West Indian manatees (*Trichechus manatus*) occasionally enter Lakes Pontchartrain and Maurepas, and associated coastal waters and streams during the summer months (i.e., June through September). During in-water work in areas that potentially support manatees all personnel associated with the project should be instructed about the potential presence of manatees, manatee speed zones, and the need to avoid collisions with and injury to manatees. All personnel should be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973. Additionally, personnel should be instructed not to attempt to feed or otherwise interact with the animal, although passively taking pictures or video would be acceptable. For more detail on avoiding contact with manatee contact this office. Should a proposed action directly or indirectly affect the West Indian manatee, further consultation with this office will be necessary.

10. Clearing and investigations will occur partly within the boundaries of Maurepas Swamp WMA. Please coordinate all activities with the LDWF Hammond Field Office. Please contact Jill Day 985-543-4785 or jday@wlf.la.gov and Cornelius Williams at 225-763-8807 or cjwilliams@wlf.la.gov for more information about appropriate WMA authorizations.

11. The impacts to Essential Fishery Habitat should be discussed with the NMFS to determine if the project complies with the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), Magnuson-Stevens Act; P.L. 104-297, as amended) and its implementing regulations.

12. Access roads across existing wetlands should be avoided if possible and secondary impacts to wetland hydrology should be prevented or reduced. To avoid changes to hydrology the Service recommends appropriately sized culverts (minimum 24 inch culverts) be installed and maintained every 300 feet across access roads through wetlands with additional culverts placed at stream crossings and drainage features. Alternatively, upon completion of construction activities, access roads should be degrading to restore natural hydrology.

13. The Service recommends monitoring changes to wetland hydrology resulting from impacts of stockpiling debris and building access roads. The proposed alternative may alter natural periods of inundation or soil saturation in the impounded wetlands and could prove detrimental to their function and longevity. Therefore, the Service recommends hydrologic gauges be placed and maintained in appropriate locations to assist in determining future impacts to surrounding forested wetlands and assist in determining the adequacy of placed culverts or the need for installation of additional culverts and/or water control structures to ensure adequate water exchange. Gauges could be supported or cost-shared through existing activities such as through the US Geological Survey (USGS) or Coastwide Reference Monitoring System (CRMS).

14. The clearing of forested wetlands for the proposed action is necessary for investigative work. Full, in-kind compensation (quantified as Average Annual Habitat Units) is recommended for unavoidable direct adverse impacts on forested wetlands. To help ensure that the proposed mitigation features meet their goals, the Service provides the following recommendations.
    a. If applicable, a General Plan should be developed by the Corps, LDWF, and the Service in accordance with Section 3(b) of the Fish and Wildlife Coordination Act for mitigation lands.
    b. Continued mitigation planning should be closely coordinated with the Service, LDWF, and other interested natural resource agencies and should include any additional losses identified during future monitoring and engineering and design studies.
    c. As mitigation measures for WSLP investigations will coincide with mitigation for the construction of the WSLP levee, the Service recommends an accounting of impacts from activities that occur prior to construction be maintained, shared with the agencies and presented in subsequent NEPA documents.
    d. If mitigation is not implemented concurrent with levee construction, the amount of mitigation needed should be reassessed and adjusted to offset temporal losses of wetlands.
    e. The Corps should remain responsible for the required mitigation until the mitigation is demonstrated to be fully compliant with interim success and performance criteria. At a minimum, this should include compliance with the requisite vegetation, elevation, acreage, and dike gapping criteria.
    f. The acreage restored and/or managed for mitigation purposes, and adjacent affected wetlands, should be monitored over the project life. This monitoring should be used to evaluate project impacts, the effectiveness of the compensatory mitigation measures, and the need for additional mitigation should those measures prove insufficient.

15. The Service recommends that the USACE contact the Service for additional consultation if: 1) the scope or location of the proposed project is changed significantly, 2) new information reveals that the action may affect listed species or designated critical habitat; 3) the action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. Additional consultation as a result of any of the above conditions or for changes not covered in this consultation should occur before changes are made and or finalized.

We appreciate the cooperation of your staff on this study. We look forward to our continued coordination with you to further protect fish and wildlife resources. If you need additional assistance or have questions regarding this letter, please contact Cathy Breaux (504/862-2689) of this office.

Sincerely,

Joseph A. Ranson
Field Supervisor
Louisiana Ecological Services Office

cc: CPRA, Baton Rouge, LA
EPA, Dallas, TX
LDNR, CMD, Baton Rouge, LA
LDWF, Baton Rouge, LA
NMFS, Baton Rouge, LA
USACE, NOD, New Orleans, LA (Attn: Mr. Patrick Smith)

Appendix A

Maurepas Swamp WMA Mitigation Proposals

DRAFT Maurepas Swamp WMA Mitigation Proposals

Prepared by the Louisiana Department of Wildlife and Fisheries (LDWF)

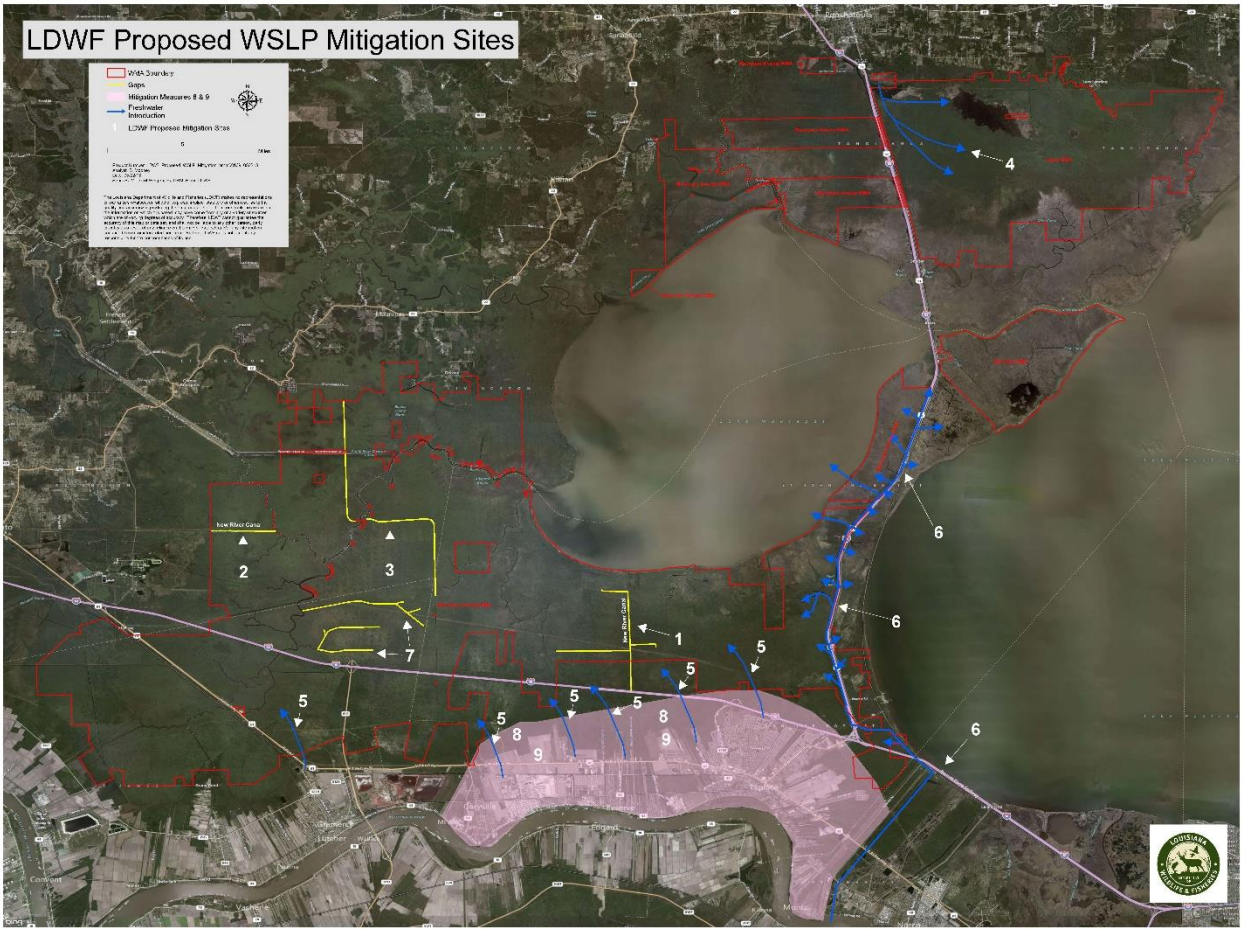
Presented to the West Shore-Lake Pontchartrain Project Delivery Team (PDT)

May 23, 2013

The elimination of nutrient and freshwater inputs threatens the sustainability of the Maurepas Swamp. The most effective strategy to restore health and productivity of the swamp is construction of Mississippi River reintroductions into Maurepas Swamp. However, additional measures such as eliminating barriers to surface flow patterns are also needed, not only to compliment the planned river reintroductions, but also to improve current hydrologic conditions. Therefore, the mitigation measures identified below by LDWF primarily aim to enhance or improve surface hydrology until such time that river reintroductions are constructed. The mitigation measures are still conceptual and will require further planning and engineering. LDWF also prioritized each measure (i.e., High, Medium or Low) to inform the PDT on which measures are believed to be most beneficial.

1. Gap spoil banks along Reserve Relief Canal (**High priority**).
2. Gap spoil banks along New River Canal (**High priority**).
3. Gap/degrade railroad bed which traverses the swamp beginning from Hope Canal and proceeding north and west to the northern property boundary (crossing Blind River and Amite River Diversion Canal (**High priority**).
4. Improve through flow of Hammond wastewater into existing Joyce WMA outfall area (**High priority**).
5. Make efficient use of stormwater and wastewater produced by communities south of I-10 (e.g., Laplace, Ascension Parish) by distributing this water into the Maurepas Swamp (**High priority**).
6. Diversion of freshwater from Bonnet Carre Spillway guide levee to the swamps and marshes to the northwest (**Medium priority**).
7. Gap any spoil banks north of I-10 in the area of Tennessee Williams (**Medium priority**).
8. Preserve existing wetlands by acquiring land in fee title that is enclosed within the levee (**Low priority**).
9. Restrict development in wetlands enclosed within the levee (**Low priority**).

The number of the proposed mitigation measure corresponds with the number on the accompanying map.


LDWF Proposed WSLP Mitigation Sites
WMA Boundary
Gaps
Mitigation Measures 8 & 9
Freshwater Introduction
LDWF Proposed Mitigation Sites
New River Canal
1
2
3
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6
7
8
9

Annex D: Endangered Species Act

This project has been reviewed for effects to Federal trust resources under our jurisdiction and currently protected by the Endangered Species Act of 1973 (Act.) The project, as proposed,

Is not Likely to adversely effect those resources

Joseph H. Ranson 27 Mar 19

Supervisor Date
Louisiana Ecological Services Office
U.S. Fish and Wildlife Service

To: Joseph Ranson, USFWS
646 Cajundome Blvd., Suite 400
Lafayette, LA 70506
Fax: (337) 291-3139

From: Patrick Smith
FAX: (504) 862-2088
Date: March 22, 2019

Subject: Protected, Threated and Endangered Species Determination for the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Structural Alignment Surveys and Borings Investigations

Dear Mr. Ranson:

Attention: David Walther

The U.S. Army Corps of Engineers (USACE), Mississippi River Valley Division, Regional Planning and Environment Division South, has proposed Supplemental Environmental Assessment (SEA) for the New Orleans District (CEMVN) 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). Additionally, the SEA also evaluates adding 5 stockpile/staging areas for construction related activities as well as the addition of a bank credit purchase option into the mitigation plan approved in the 2016 WSLP EIS for compensating bottomland hardwoods (BLH) impacts. The Record of Decision for the 2016 WSLP EIS was signed by the Assistant Secretary of the Army on September 14, 2016. The USFWS determined that the project was not likely to adversely affect Federal trust resources currently protected by the Endangered Species Act of 1973 via letter dated May 7, 2014.

A project description, occurrence of protected, threatened and endangered species, impacts to protected, threatened and endangered species, and CEMVN's conclusion and determination is included below. Based on review of existing data, preliminary field surveys, the rarity of occurrences, and the use of best management practices, CEMVN has determined that the proposed action is not likely to adversely affect any of the listed species, bald eagles or colonial nesting water birds.

Project Description

A map indicating where the proposed action activities would occur is provided (Figure 1).

There are five distinct activities in the proposed action in addition to the option to purchase Mitigation Bank credits for BLH impacts. They are: access, clearing and grubbing, stockpiling and staging, soil borings and Cone Perimeter Testings (CPTs), and other surveys. Each activity is discussed below. The duration for the proposed action activities would be approximately nine months. 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. All tree felling would be performed to avoid damage to trees left standing, to existing structures and installations, and with due regard for the safety of employees and others. 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 surrounding the 100 foot clearing and grubbing corridor. A typical survey ROW plan view is shown in Figure 2.

Access

Access for clearing and grubbing of the 100 foot corridor, cross-sectional surveys, soil borings/CPTs, environmental and cultural resources investigations, and HTRW assessments would be from U.S. Highway 61 (Airline Hwy), LA Hwy 44, LA Hwy 54, I-10 Service Road, Old US HWY 51, Frenier Road, Prescott Road, other existing roads, trails, pipeline corridors, and along Reserve Canal leading to the alignment (Figure 1). These access routes would be utilized for the delivery of survey, tree clearing, and boring/CPT equipment. Some of the proposed access routes would require the clearing of vegetation for the movement of this equipment. Clearing and grubbing for access routes would be limited to a 40-foot width, which is the minimum width necessary for the passage of surveys and borings/CPTs equipment. A 60-foot road width would be allowed for access roads within pipeline ROWs to allow for pipeline protection. The extra width would accommodate for special construction considerations to minimize impacts to infrastructure. Coordination with pipeline companies is ongoing to determine the best method to accommodate pipeline infrastructure and minimize environmental impacts. For instance, timber matting or similar measures may be required across some pipeline corridors. Clearing would consist of the complete removal of all trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris within access route corridors. Debris resulting from access road clearing and grubbing operations could be stockpiled in temporary windrows within access corridors, or within the stockpile and staging areas described below. Felled timber may be chipped on-site prior to hauling and disposal, and other cleared debris any timber hauled offsite and disposed of according to applicable laws and regulations. Approximately 91 acres have been identified as access routes with a maximum impact

to coastal swamp habitat of approximately 78 acres. All equipment to be utilized for the surveys are described in the subsequent sections.

Clearing and Grubbing

Clearing and grubbing would occur within a 100 foot corridor and would provide the necessary work area for the completion of soil boring/CPT activities. The corridor is broken into six distinct segments shown in red in Figure 2 totaling approximately 138 acres and 11.4 linear miles. Approximately 135 of these 138 acres are forested wetlands, with approximately 115 acres being swamp and approximately 20 acres are BLH. A width of 100 feet is needed for operation of equipment and for stockpiling of cut trees and undergrowth. All trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris would be cleared within the clearing and grubbing corridor. Trees on dry land would be cut flush with the natural ground, while trees in water would be cut flush with the natural ground or mud line underwater. In limited circumstances, the removal of tree stumps and rootballs below the ground surface may be necessary to provide unobstructed and safe access for equipment. Rootball removal is not expected to exceed 20% of the corridor.

Trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris resulting from clearing and grubbing operations could be stockpiled in temporary windrows within the clearing and grubbing corridor, spaced approximately every 300 feet. Windrows would alternate between land side and flood side of the project centerline. Debris may be placed in neat windrows or piles with the tree limbs trimmed sufficiently to make the windrow as small as practicable. No windrowed debris or cleared material shall extend beyond the 100- foot clearing and grubbing limit. Debris could also be stockpiled in the stockpile and staging areas described below. Debris removal would occur during the levee construction phase.

Stockpiling and Staging

Two options for temporary stockpiling of trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris resulting from clearing and grubbing operations would be available to the contractor. Material could be stockpiled within any of the five stockpile areas shown in Figure 2, or material could be temporarily stockpiled within the 100-foot clearing and grubbing corridor or access roads ROWs. Descriptions of how material could be stockpiled within the clearing and grubbing corridor and access roads are discussed in their respective sections.

The five temporary stockpile/staging areas total approximately 1,020 acres (583 acres, 40 acres, 98 acres, 143 acres, and 156 acres from east to west) and are shown in Figure 2. Originally nine stockpile/staging areas were considered, but four were eliminated from further consideration due to potential impacts to wetlands, cultural resources, Environmental Justice communities, or local development plans.

These temporary stockpile/staging areas may be used for various activities during the investigative and construction phases of the WSLP Project. Use of these areas is expected to end in 2023. The sites may be used for the storage of felled trees, staging of investigative and construction equipment such as drilling rigs, small boats, bulldozers, excavators, pile driving equipment, and/ or storage of construction materials such as steel sheet piling, steel piles, and other materials and items for construction of pump stations and drainage structures. The construction contractor or USACE may also set up trailers to serve as office space during construction within one or more of the stockpile/staging areas.

Some of the stockpile/staging areas could also be used for the temporary stockpiling of clay and sand for levee or floodwall construction. Up to 3,000,000 cubic yards of clay material and approximately 1,000,000 cubic yards of sand would be used to construct the WSLP Project levee. These materials could be transported to the stockpile areas from the Bonnet Carré' Spillway (BCS) borrow pits, as approved in the 2016 WSLP EIS, using dump trucks. Sand could be obtained from commercially available sources or within the BCS. Approximately 225,000 truck trips would be required to haul 4,000,000 cubic yards of material. All stockpile/staging areas are located along major highways. Material would be hauled from BCS to five stockpile/staging areas exclusively via Highway 61 for the four stockpile areas located adjacent to Highway 61, and via Highways 61 and 51 for the northern most stockpile area that is adjacent to Highway 51.

Soil Borings and Cone Penetration Testing (CPTs)

Soil borings and CPTs would be conducted within the clearing and grubbing corridor at intervals of 500 feet. The borings would consist of undisturbed type borings. Borings and CPTs would be taken with truck and track mounted equipment. The boring holes would be backfilled in accordance with standard criteria.

Two and four wheel drive vehicles, standard boring and land surveying equipment, machetes, chainsaws, a small boat and trailer (as required), and marsh buggies would be used.

Other Surveys

Other surveys include topographical surveys to locate features and utilities, define the project baseline alignment, and define ROW extent; as well as those necessary to complete cross-sections, HTRW assessments, cultural resource investigations, and environmental surveys. Small vehicles (such as all-terrain vehicles or other similar small 4x4s), small boats, air boats, and marsh buggies would be allowed to operate within the approximately 600 foot ROW surrounding the clearing and grubbing corridor (see other surveys area in Figure 2). Foot traffic would also be permitted. Cross-sectional surveys would occur at intervals between 50 and 300 feet.

Environmental surveys would include vegetative surveys such as plant identification and measurements. HTRW assessments would include traversing the area to identify

potential HTRW concerns. If any suspected HTRW concerns are noticed, soil and/or water samples may be taken. Environmental surveys and HTRW assessments would be performed by two to four person crews that would traverse the area.

Similarly, cultural resources (CR) investigations would be completed with two to four person crews. Some CR subsurface investigations may be required to determine if buried cultural remains exist within the site limits. The subsurface investigation would be accomplished by hand auger or shovel. If items of seeming cultural significance are discovered during the initial traverse of the site, the CR investigation would be expanded to include, at the most, a series of 2-meter by 2-meter holes or 1-meter wide trenches evacuated to depths of 1 to 2 meters. Excavation would be accomplished by hand augers and/or shovels. All excavations would be held to the absolute minimum required to determine the apparent existence or non-existence of significant cultural remains. All excavations would be backfilled upon completion of the excavations. Artifacts discovered during the survey would be marked for identification and removed from the site for analysis and examination to determine historical significance. Permission to remove the items from the site would be obtained through personal contact with the landowner. All objects removed from the site would be returned to the landowner, if required, upon completion of the analysis and report. If the landowner does not require the return of the objects discovered, they would be donated to the State Historic Preservation Officer (SHPO) for permanent curation. If the investigations reveal the existence of cultural remains significant enough to render the site eligible for the National Register, additional ROE for more extensive excavations and mitigation would be required.

No roads, fences, buildings, or other improvements within the area would be disturbed. No trees would be felled outside of the 100 foot clearing and grubbing corridor in Figure 2. Branch cutting would be allowed for small vehicle passage, if necessary within the 600 foot ROW.

Purchase of Mitigation Bank Credits

In addition to the mitigation plan approved in the 2016 WSLP EIS, USACE approved mitigation banks with a service area that encompasses the impacts, with perpetual conservation servitudes currently in compliance with their mitigation bank instrument, and with released BLH credits would be an option for mitigating BLH impacts incurred from the WLSP project. If the BLH impacts are wetland in nature and/or incurred within the coastal zone, the purchase of mitigation bank credits would also have to meet these requirements in kind. Mitigation banks would be required to run the same version of the WVA model as was used to assess the impacts from constructing the WSLP project to ensure that the assessment of the functions and services provided by the mitigation bank match the assessment of the lost functions and services at the impacted site.

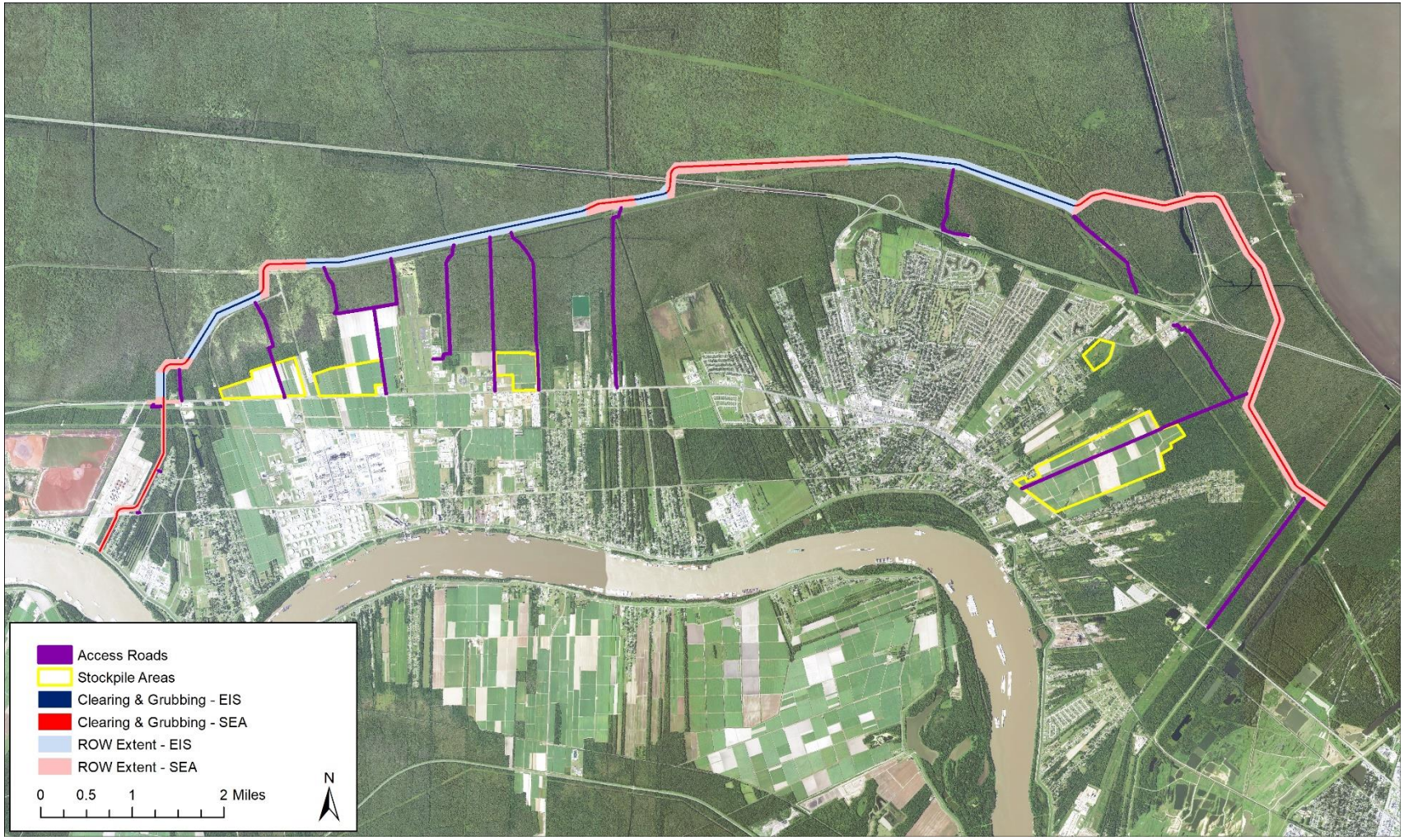

Figure 1: Map showing the proposed action. There are 15 access routes, with one access route bifurcating into two roads near the surveys and boring/CPT area. "Clearing & Grubbing" indicates the extent to which tree felling, borings/CPTs, and stockpiling would occur. "ROW Extent" refers to the extent to which other surveys would occur. Areas with "EIS" are within the ROW from the 2016 WSLP EIS and are shown for reference as they are not part of the proposed action. Areas with "SEA" refer to the proposed action.

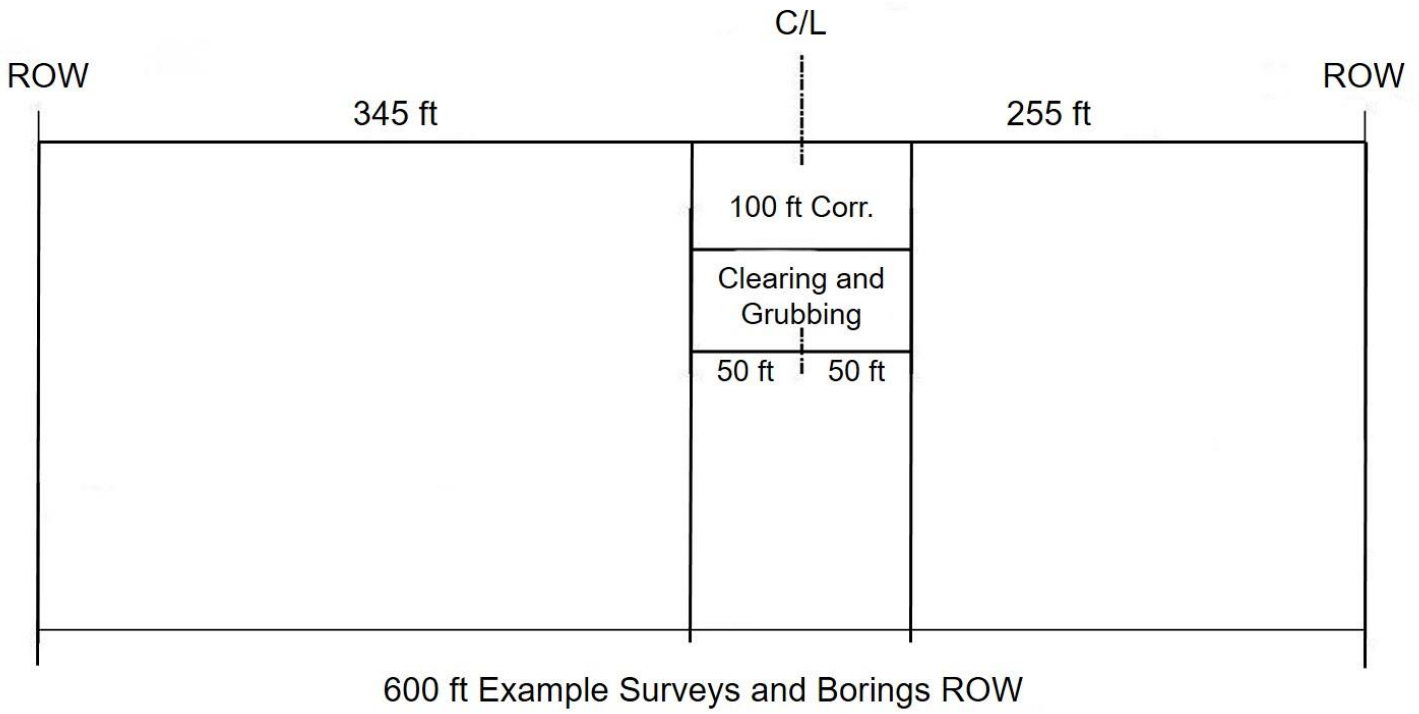

Figure 2: Plan view drawing of a typical ROW for the proposed action.

Occurrence of Protected, Threatened and Endangered Species

Two threatened and endangered species, the Gulf sturgeon (*Acipenser oxyrhynchus desotoi*) and the West Indian manatee (*Trichechus manatus*), and one delisted species, the bald eagle (*Haliaeetus leucocephalus*), are known to occur or may occasionally enter the vicinity of the proposed action. The area is also known to support colonial nesting waterbirds (e.g., herons, egrets, and others), which are protected under the Migratory Bird Treaty Act (MBTA).

The Gulf sturgeon is an anadromous fish that occurs in many rivers, streams, and estuarine waters along the northern Gulf coast between the Mississippi River and the Suwannee River, Florida. In Louisiana, Gulf sturgeon have been reported at Rigolets Pass, rivers and lakes of the Lake Pontchartrain basin, and adjacent estuarine areas. While sturgeon have been documented in nearby waterways, the vicinity of the proposed action does not contain Gulf sturgeon critical habitat.

West Indian manatees (*Trichechus manatus*) occasionally enter Lakes Pontchartrain and Maurepas, and associated coastal waters and streams during the summer months (i.e., June through September). Substantial food sources (submerged or floating aquatic vegetation) have not been observed in the vicinity of the proposed action. Given the extensive areas of relatively undisturbed wetlands in the region and the paucity of food sources in the vicinity, it is considered unlikely for the manatee to frequent and utilize waterways affected by the proposed action, although manatees could pass through this area while transiting the lake.

There are existing bald eagle nests in the area; however, based on information provided by USFWS, all nests are beyond 650 feet from features of the proposed action. Two potentially active water bird rookeries exist within 1,000 feet of the proposed alignments. Initial field surveys are underway and the USFWS and CEMVN will continue to survey the area to confirm if the rookeries are active or not. Additionally, the entire proposed action ROWs will be surveyed for colonial nesting waterbirds and bald eagle nests.

Impacts to Protected, Threatened and Endangered Species

The proposed action would directly impact (destroy) 213 acres of primarily swamp and BLH. These areas could potentially be utilized by the bald eagle and colonial nesting waterbirds. With destruction of this habitat, such species would be forced to utilize other, adjacent forested wetlands and swamp habitats.

Clearing and grubbing of the 100 foot corridor and improvement of access roads could alter hydrology in the vicinity of the Proposed Action. These hydrologic alterations could also have indirect impacts to adjacent vegetation resources. Negative vegetation impacts could affect Bald and Golden Eagle Protection Act (BGEPA) or MBTA trust species.

Much of the adjacent area and vicinity is forested wetlands and swamp habitats. ESA,

BGEPA, and MBTA trust species could move to adjacent habitats, because of indirect and direct impacts associated with the proposed action. None of the proposed action or vicinity is critical habitat for the West Indian manatee or the Gulf sturgeon, and they are thought to seasonally and infrequently visit the vicinity of the proposed action. Therefore, it is not likely that a loss in habitat would affect ESA trust species. Bald eagles and colonial waterbirds frequent the vicinity of the proposed action. The alteration of habitat and subsequent relocation of BGEPA and MBTA trust species as a result of the proposed action could have population level impacts if adjacent habitats are at or near carry capacity in the abundant, adjacent forested wetlands, however, such impacts are not expected. Best management practices, including monitoring, use of recommended buffers, and development of a nesting prevention plan for colonial nesting waterbirds would minimize impacts to bald eagles and colonial waterbirds. Additionally, upon completion of mitigation measures and replacement of the impacted habitat, any impacts to BGEPA and MBTA trust species could be eliminated. Therefore, it is expected that any relocation of ESA, BGEPA, or MBTA trust species caused by the proposed action would have minor indirect impacts.

A Nesting Prevention Plan is being developed, in coordination with the USFWS and the Louisiana Department of Wildlife and Fisheries to deter colonial nesting water birds from establishing active nesting colonies in the vicinity. If measures to prevent colonial nesting bird populations are not successful in the area, activities that would occur within 1,000 feet of a colony could be restricted to the non-nesting period, which in this region generally extends from September 1 to February 15, depending on the species present. If waterbird nesting colonies become established in the area, the 1,000 foot buffer would be maintained unless coordination with the USFWS indicates that the buffer zone may be reduced based on the species present or an agreement is reached with USFWS that allows a modified process to be adopted.

During in-water work in areas that potentially support manatees, all personnel associated with the project would be instructed about the potential presence of manatees, manatee speed zones, and the need to avoid collisions with and injury to manatees. All personnel would be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973. Additionally, personnel should be instructed not to attempt to feed or otherwise interact with the animal, although passively taking pictures or video would be acceptable.

Under the proposed action, the mitigation plan approved in the 2016 WSLP EIS would be augmented by adding the purchase of mitigation bank credits as an option to mitigate BLH impacts. Since permitted banks exist as reasonably foreseeable projects in the Future Without Project conditions, if in-kind mitigation bank credits were purchased as part of the WSLP mitigation plan from banks with a service area that encompasses the impacts, no new direct or indirect impacts to this resource would be incurred.

CEMVN Determination

Based on review of existing data, preliminary field surveys, the rarity of occurrences, and the use of best management practices documented in Appendix A, Annex N of the 2016 WSLP EIS and described above, CEMVN has determined that the proposed action is not likely to adversely affect any of the listed species, bald eagles or colonial nesting water birds. USFWS guidelines would be utilized during construction of the proposed action to avoid any impacts to the species described below, if encountered. If there are any questions about the project or if any additional information is needed please contact Patrick Smith by phone at (504) 862-1544 or by email at Patrick.W.Smith@usace.army.mil.

Annex E: National Marine Fisheries Service Essential Fish Habitat letter

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

October 1, 2013 F/SER46/LA:jk
225/389-0508

Ms. Joan Exnicios, Chief
Environmental Planning and Compliance Branch
New Orleans District, U.S. Army Corps of Engineers
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Ms. Exnicios:

NOAA's National Marine Fisheries Service (NMFS) has received your letter dated August 23, 2013, transmitting the Integrated Draft Feasibility Report and Environmental Impact Statement (EIS) titled "**West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Study**." The U.S. Army Corps of Engineers (USACE) is evaluating alternatives to provide hurricane and tropical storm surge protection to residents in St. Charles, St. John the Baptist, and St. James Parishes, Louisiana.

The Corps has identified Alternative C as the Tentatively Selected Plan (TSP). Alternative C consists of approximately 18 miles of levees spanning from the West Guide Levee of the Bonnet Carré Spillway, along Interstate Highway 10, and terminating at the Mississippi River levee near Garyville, Louisiana. The TSP would directly impact approximately 775 acres and enclose 8,424 acres of forested wetlands and swamp habitats.

NMFS believes there are environmental concerns and requests additional information be included in the Final EIS. The following comments identify areas where additional information is necessary to demonstrate compliance with applicable laws and regulations pertaining to mitigation and the National Environmental Policy Act (NEPA).

General Comments

NMFS does not object to hurricane protection to reduce risk to life or property, or to the proposed levee alignment. However, we find the draft EIS lacks information necessary to demonstrate adverse wetland impacts would be fully offset through the implementation of an adequate mitigation plan. Specifically, adverse wetland impacts are not quantified by the Wetland Value Assessment methodology determined acceptable under USACE guidelines for Louisiana habitats. In addition, the mitigation plan included in Appendix A, Annex K, proposes conceptual mitigation ideas only which also have not been assessed or quantified to determine benefits. Lacking an assessment of impacts and benefits, it is unclear how the USACE can determine wetland impacts would be fully offset in compliance with the Clean Water Act. Lacking an adequate assessment of mitigation benefits, or a discussion which clearly identifies the potential for long term wetland impacts if mitigation is inadequate, it is unclear how the draft

EIS fully complies with NEPA requirements. Finally, the proposed mitigation plan does not have sufficient information to demonstrate compliance with the 12 "items" required by mitigation regulations. This information is necessary for project planning purposes, including alternatives analysis, and equally important for public disclosure of the type and location of the mitigation.

NMFS is concerned the source of more than 3 million cubic yards of borrow material for levee construction is not identified, and associated impacts discussed, in the draft EIS. Unless there is a commitment to not obtain borrow from wetlands or other sensitive habitats, NMFS believes failure to discuss or disclose what could be a significant environmental impact is a violation of NEPA. We encourage the USACE to use non-wetland borrow locations to the maximum extent practicable. If the USACE determines wetland impacts associated with borrow sources are unavoidable, a discussion and quantification of such wetland impacts (and mitigation costs) should be included in a supplemental draft EIS for this project.

While direct wetland impacts have been quantified for the TSP in terms of acreage, NMFS does not agree sufficient information has been provided to demonstrate indirect impacts to more than 8,000 acres of enclosed wetlands would not occur. The draft Adaptive Management and Monitoring Plan has not been finalized, but at present, only includes monitoring of mitigation plan success and corrective actions to be taken if such actions do not result in anticipated benefits. The draft Adaptive Management and Monitoring Plan does not include efforts to evaluate whether project implementation results in adverse impacts to enclosed wetlands. The final EIS should include an Adaptive Management and Monitoring Plan, developed in coordination with the natural resource agencies, which evaluates the impact of levee construction and water control structure operations on enclosed wetlands. NMFS recommends sufficient funds be included in the overall cost projection to sufficiently address adaptive management and monitoring needs for the enclosed wetlands and the mitigation areas.

According to the draft EIS, under both intermediate and high sea level rise scenarios, in 50 years all structures providing drainage between enclosed wetlands and exterior waters would be closed the vast majority of the time. However, no discussion is provided to identify how water levels in enclosed wetlands would be managed. The final EIS should identify and discuss this issue.

Specific Comments

Chapter 2
Section 2.4.5 Essential Fish Habitat

Page 2-24. NMFS agrees project implementation would not adversely impact essential fish habitat (EFH). As such, an EFH assessment is unnecessary. NMFS recommends this section be deleted from the final EIS. Likewise, NMFS recommends Section 4.3.5 also be removed from the final EIS.

Chapter 4
Section 4.3.2 Vegetation Resources

Page 4-12. Wording in the second paragraph indicates Alternative C would directly impact 719 acres of wetlands, while Table 4-2 indicates 775 acres of wetlands would be impacted. The correct numbers should be provided in the final EIS.

We appreciate the opportunity to review and comment on the Integrated Draft Feasibility Report and EIS. If you have questions regarding comments provided above, please direct your questions to Lisa Abernathy at lisa.abernathy@noaa.gov or by phone at (225) 389-0508, extension 209.

Sincerely,

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

c:
FWS, Lafayette, Walther
EPA, Dallas, Keeler, Ettinger
LA DNR, Consistency, Haydel
F/SER46, Swafford
F/SER4, Rolfes
Files

Appendix B: Draft 404(b)(1) determination

The following short form 404(b)(1) evaluation follows the format designed by the Office of the Chief of Engineers, (OCE). As a measure to avoid unnecessary paperwork and to streamline regulation procedures while fulfilling the spirit and intent of environmental statutes, New Orleans District is using this format for all proposed project elements requiring 404 evaluation, but involving no adverse significant impacts.

PROJECT TITLE. West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Structural Alignment Surveys and Borings Investigations

PROJECT DESCRIPTION

A map indicating where the Proposed Action activities would occur is provided (Figure 1).

There are five distinct activities in the Proposed Action in addition to the option to purchase Mitigation Bank credits for BLH impacts. They are: access, clearing and grubbing, stockpiling and staging, soil borings and CPTs, and other surveys. Each activity is discussed below. The duration for the Proposed Action activities would be approximately nine months. 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. All tree felling would be performed to avoid damage to trees left standing, to existing structures and installations, to those under work operations, and with due regard for the safety of employees and others. 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 surrounding the 100 foot clearing and grubbing corridor. A typical survey ROW plan view is shown in Figure 2.

Access

Access for clearing and grubbing of the 100 foot corridor, cross-sectional surveys, soil borings/CPTs, environmental and cultural resources investigations, and HTRW assessments would be from U.S. Highway 61 (Airline Hwy), LA Hwy 44, LA Hwy 54, 1-10 Service Road, Old US HWY 51, Frenier Road, Prescott Road, other existing roads, trails, pipeline corridors, and along Reserve Canal leading to the alignment (Figure 1). These access routes would be utilized for the delivery of survey, tree clearing, and boring/CPT equipment. Some of the proposed access routes would require the clearing of vegetation for the movement of this equipment. Clearing and grubbing for access routes would be limited to a 40-foot width, which is the minimum width necessary for the passage of surveys and borings/CPTs equipment. A 60-foot road width would be allowed for access roads within pipeline ROWs to allow for pipeline protection. The extra width would accommodate for special construction considerations to minimize impacts to infrastructure. Coordination with pipeline companies is ongoing to determine the best method to accommodate pipeline infrastructure and minimize environmental impacts. For instance, timber matting or similar measures may be required across some pipeline corridors. Clearing would consist of the complete removal of all trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris within access route corridors. Debris resulting from access road clearing and grubbing operations could be stockpiled in temporary windrows within access corridors, or within the stockpile and staging areas described below. Felled timber may be chipped on-site prior to hauling and disposal, and other cleared debris any timber hauled offsite and disposed of according to applicable laws and regulations. Approximately 91 acres have been identified as access routes with a maximum impact to coastal swamp habitat of approximately 78 acres. All equipment to be utilized for the surveys are described in the subsequent sections.

Clearing and Grubbing

Clearing and grubbing would occur within a 100 foot corridor and would provide the necessary work area for the completion of soil boring/CPT activities. The corridor is broken into six distinct segments shown in red in Figure 2 totaling approximately 138 acres and 11.4 linear miles. Approximately 135 of these 138 acres are forested wetlands, with approximately 115 acres being swamp and approximately 20 acres are BLH. A width of 100 feet is needed for operation of equipment and for stockpiling of cut trees and undergrowth. All trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned

structures, fencing, and similar debris would be cleared within the clearing and grubbing corridor. Trees on dry land would be cut flush with the natural ground, while trees in water would be cut flush with the natural ground or mud line underwater. In limited circumstances, the removal of tree stumps and rootballs below the ground surface may be necessary to provide unobstructed and safe access for equipment. Rootball removal is not expected to exceed 20% of the corridor.

Trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris resulting from clearing and grubbing operations could be stockpiled in temporary windrows within the clearing and grubbing corridor, spaced approximately every 300 feet. Windrows would alternate between land side and flood side of the project centerline. Debris may be placed in neat windrows or piles with the tree limbs trimmed sufficiently to make the windrow as small as practicable. No windrowed debris or cleared material shall extend beyond the 100- foot clearing and grubbing limit. Debris could also be stockpiled in the stockpile and staging areas described below. Debris removal would occur during the levee construction phase.

Stockpiling and Staging

Two options for temporary stockpiling of trees, stumps, down timber snags, brush, vegetation, loose stone, abandoned structures, fencing, and similar debris resulting from clearing and grubbing operations would be available to the contractor. Material could be stockpiled within any of the five stockpile areas shown in Figure 2, or material could be temporarily stockpiled within the 100-foot clearing and grubbing corridor or access roads ROWs. Descriptions of how material could be stockpiled within the clearing and grubbing corridor and access roads are discussed in their respective sections.

The five temporary stockpile/staging areas total approximately 1,020 acres (583 acres, 40 acres, 98 acres, 143 acres, and 156 acres from east to west) and are shown in Figure 2. Originally nine stockpile/staging areas were considered, but four were eliminated from further consideration due to potential impacts to wetlands, cultural resources, Environmental Justice communities, or local development plans.

These temporary stockpile/staging areas may be used for various activities during the investigative and construction phases of the WSLP Project. Use of these areas is expected to end in 2023. The sites may be used for the storage of felled trees, staging of investigative and construction equipment such as drilling rigs, small boats, bulldozers, excavators, pile driving equipment, and/ or storage of construction materials such as steel sheet piling, steel piles, and other materials and items for construction of pump stations and drainage structures. The construction contractor or USACE may also set up trailers to serve as office space during construction within one or more of the stockpile/staging areas.

Some of the stockpile/staging areas could also be used for the temporary stockpiling of clay and sand for levee or floodwall construction. Up to 3,000,000 cubic yards of clay material and approximately 1,000,000 cubic yards of sand would be used to construct the WSLP Project levee. These materials could be transported to the stockpile areas from the Bonnet Carré' Spillway (BCS) borrow pits, as approved in the 2016 WSLP EIS, using dump trucks. Sand could be obtained from commercially available sources or within the BCS. Approximately 225,000 truck trips would be required to haul 4,000,000 cubic yards of material. All stockpile/staging areas are located along major highways. Material would be hauled from BCS to five stockpile/staging areas exclusively via Highway 61 for the four stockpile areas located adjacent to Highway 61, and via Highways 61 and 51 for the northern most stockpile area that is adjacent to Highway 51.

Soil Borings and Cone Penetration Testing (CPTs)

Soil borings and CPTs would be conducted within the clearing and grubbing corridor at intervals of 500 feet. The borings would consist of undisturbed type borings. Borings and CPTs would be taken with truck and track mounted equipment. The boring holes would be backfilled in accordance with standard criteria.

Two and four wheel drive vehicles, standard boring and land surveying equipment, machetes, chainsaws, a small boat and trailer (as required), and marsh buggies would be used.

Other Surveys

Other surveys include topographical surveys to locate features and utilities, define the project baseline alignment, and define ROW extent; as well as those necessary to complete cross-sections, HTRW assessments, cultural resource investigations, and environmental surveys. Small vehicles (such as all-terrain vehicles or other similar small 4x4s), small boats, air boats, and marsh buggies would be allowed to operate within the approximately 600 foot ROW surrounding the clearing and grubbing corridor (see other surveys area in Figure 2). Foot traffic would also be permitted. Cross-sectional surveys would occur at intervals between 50 and 300 feet.

Environmental surveys would include vegetative surveys such as plant identification and measurements. HTRW assessments would include traversing the area to identify potential HTRW concerns. If any suspected HTRW concerns are noticed, soil and/or water samples may be taken. Environmental surveys and HTRW assessments would be performed by two to four person crews that would traverse the area.

Similarly, cultural resources (CR) investigations would be completed with two to four person crews. Some CR subsurface investigations may be required to determine if buried cultural remains exist within the site limits. The subsurface investigation would be accomplished by hand auger or shovel. If items of seeming cultural significance are discovered during the initial traverse of the site, the CR investigation would be expanded to include, at the most, a series of 2-meter by 2-meter holes or 1-meter wide trenches evacuated to depths of 1 to 2 meters. Excavation would be accomplished by hand augers and/or shovels. All excavations would be held to the absolute minimum required to determine the apparent existence or non-existence of significant cultural remains. All excavations would be backfilled upon completion of the excavations. Artifacts discovered during the survey would be marked for identification and removed from the site for analysis and examination to determine historical significance. Permission to remove the items from the site would be obtained through personal contact with the landowner. All objects removed from the site would be returned to the landowner, if required, upon completion of the analysis and report. If the landowner does not require the return of the objects discovered, they would be donated to the State Historic Preservation Officer (SHPO) for permanent curation. If the investigations reveal the existence of cultural remains significant enough to render the site eligible for the National Register, additional ROE for more extensive excavations and mitigation would be required.

No roads, fences, buildings, or other improvements within the area would be disturbed. No trees would be felled outside of the 100 foot clearing and grubbing corridor in Figure 2. Branch cutting would be allowed for small vehicle passage, if necessary within the 600 foot ROW.

Purchase of Mitigation Bank Credits

In addition to the mitigation plan approved in the 2016 WSLP EIS, USACE approved mitigation banks with a service area that encompasses the impacts, with perpetual conservation servitudes currently in compliance with their mitigation bank instrument, and with released BLH credits would be an option for mitigating BLH impacts incurred from the WLSP project. If the BLH impacts are wetland in nature and/or incurred within the coastal zone, the purchase of mitigation bank credits would also have to meet these requirements in kind. Mitigation banks would be required to run the same version of the WVA model as was used to assess the impacts from constructing the WSLP project to ensure that the assessment of the functions and services provided by the mitigation bank match the assessment of the lost functions and services at the impacted site.

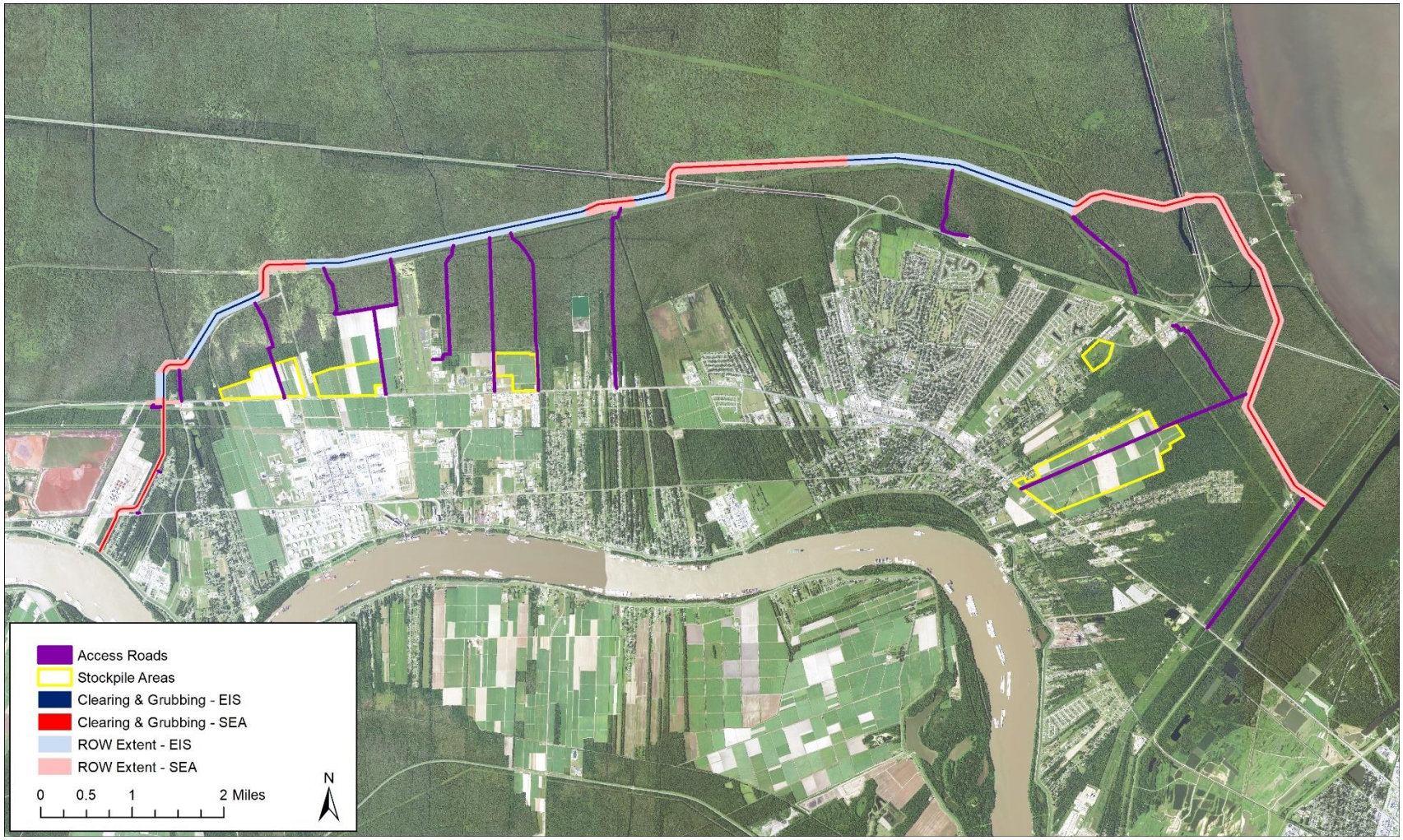

Figure 1: Map showing the Proposed Action. There are 15 access routes, with one access route bifurcating into two roads near the surveys and boring/CPT area. "Clearing & Grubbing" indicates the extent to which tree felling, borings/CPTs, and stockpiling would occur. "ROW Extent" refers to the extent to which other surveys would occur. Areas with "EIS" are within the ROW from the 2016 WSLP EIS and are shown for reference as they are not part of the Proposed Action. Areas with "SEA" refer to the Proposed Action.

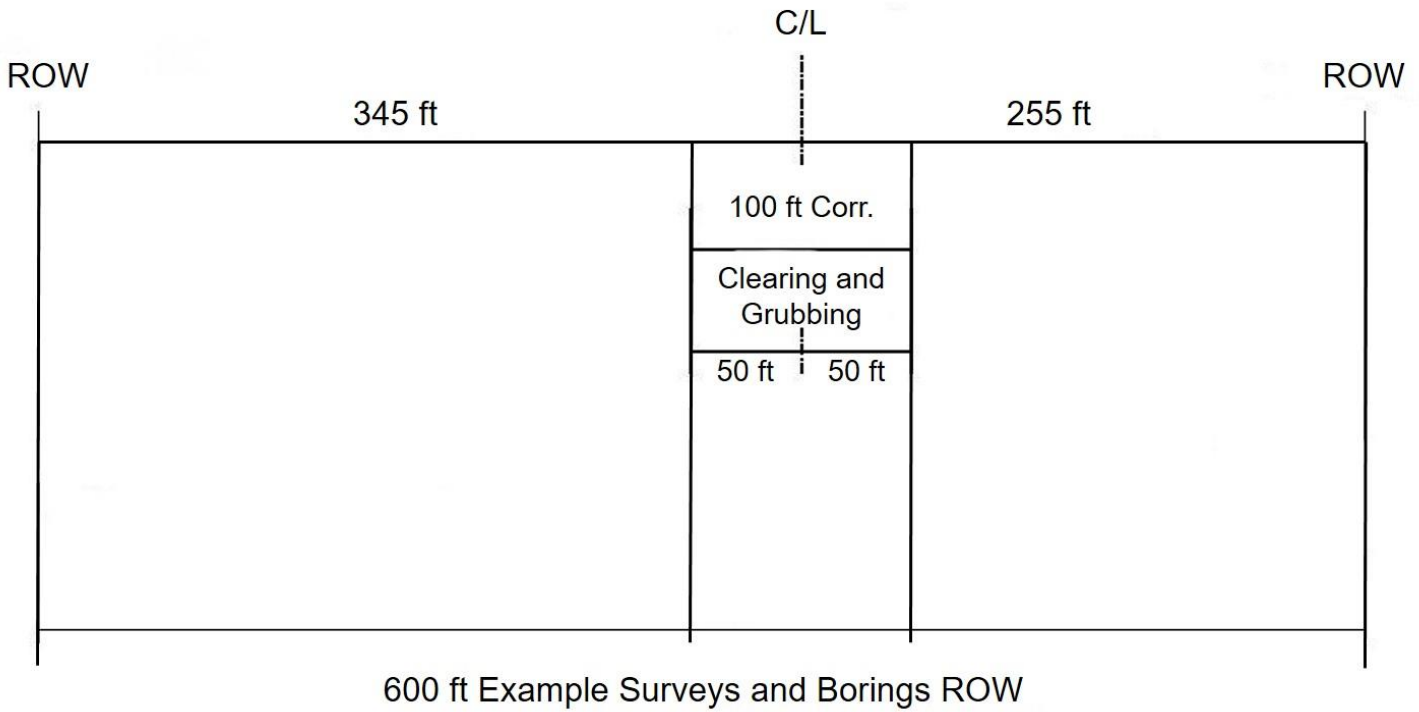

Figure 2: Plan view drawing of a typical ROW for the Proposed Action.

1. Review of Compliance (§230.10 (a)-(d)).

	Preliminary[1]		Final[2]	
A review of this project indicates that:				
a. The discharge represents the least environmentally damaging practicable alternative and if in a special aquatic site, the activity associated with the discharge must have direct access or proximity to, or be located in the aquatic ecosystem to fulfill its basic purpose (if no, see section 2 and information gathered for environmental assessment alternative);	YES	NO*	YES	NO
b. The activity does not appear to: (1) violate applicable state water quality standards or effluent standards prohibited under Section 307 of the Clean Water Act; (2) jeopardize the existence of Federally listed endangered or threatened species or their habitat; and (3) violate requirements of any Federally designated marine sanctuary (if no, see section 2b and check responses from resource and water quality certifying agencies);	FOR (1) ONLY YES	NO*	YES	NO
c. The activity will not cause or contribute to significant degradation of waters of the United States including adverse effects on human health, life stages of organisms dependent on the aquatic ecosystem, ecosystem diversity, productivity and stability, and recreational, esthetic, and economic values (if no, see section 2);	YES	NO*	YES	NO
d. Appropriate and practicable steps have been taken to minimize potential adverse impacts of the discharge on the aquatic ecosystem (if no, see section 5).	YES	NO*	YES	NO

2. Technical Evaluation Factors (Subparts C-F).	N/A	Not Significant	Significant*
a. Physical and Chemical Characteristics of the Aquatic Ecosystem (Subpart C).			
(1) Substrate impacts.		x	
(2) Suspended particulates/turbidity impacts.		x	
(3) Water column impacts.		x	
(4) Alteration of current patterns and water circulation.		x	
(5) Alteration of normal water fluctuations/ hydroperiod.		x	
(6) Alteration of salinity gradients.		x	
b. Biological Characteristics of the Aquatic Ecosystem (Subpart D).			
(1) Effect on threatened/endangered species and their habitat.		x	
(2) Effect on the aquatic food web.		x	
(3) Effect on other wildlife (mammals, birds, reptiles, and amphibians).		x	
c. Special Aquatic Sites (Subpart E).			
(1) Sanctuaries and refuges.		x	
(2) Wetlands.		x	
(3) Mud flats.	x		
(4) Vegetated shallows.		x	
(5) Coral reefs.	x		
(6) Riffle and pool complexes.	x		
d. Human Use Characteristics (Subpart F).			
(1) Effects on municipal and private water supplies.	x		
(2) Recreational and commercial fisheries impacts.		x	
(3) Effects on water-related recreation.		x	
(4) Esthetic impacts.		x	
(5) Effects on parks, national and historical monuments, national seashores, wilderness areas, research sites, and similar preserves.		x	

Remarks. Where a check is placed under the significant category, the preparer has attached explanation.

3. Evaluation of Dredged or Fill Material (Subpart G).[3]

a. The following information has been considered in evaluating the biological availability of possible contaminants in dredged or fill material.

(1) Physical characteristics	x
(2) Hydrography in relation to known or anticipated sources of contaminants	
(3) Results from previous testing of the material or similar material in the vicinity of the project	
(4) Known, significant sources of persistent pesticides from land runoff or percolation	
(5) Spill records for petroleum products or designated (Section 311 of CWA) hazardous substances	
(6) Other public records of significant introduction of contaminants from industries, municipalities, or other sources	
(7) Known existence of substantial material deposits of substances which could be released in harmful quantities to the aquatic environment by man-induced discharge activities	
(8) Other sources (specify)	

Appropriate references: See memorandum (Encl 2)

b. An evaluation of the appropriate information in 3a above indicates that there is reason to believe the proposed dredge or fill material is not a carrier of contaminants, or the material meets the testing exclusion criteria.

YES NO*

4. Disposal Site Delineation (§230.11(f)).

a. The following factors, as appropriate, have been considered in evaluating the disposal site.

(1) Depth of water at disposal site	x
(2) Current velocity, direction, and variability at disposal site	x
(3) Degree of turbulence	x
(4) Water column stratification	x
(5) Discharge vessel speed and direction	
(6) Rate of discharge	
(7) Dredged material characteristics (constituents, amount, and type of material, settling velocities)	
(8) Number of discharges per unit of time	
(9) Other factors affecting rates and patterns of mixing (specify)	

Appropriate references:

b. An evaluation of the appropriate factors in 4a above indicates that the disposal site and/or size of mixing zone are acceptable.

YES NO*

5. Actions to Minimize Adverse Effects (Subpart H).

All appropriate and practicable steps have been taken, through application of the recommendations of §230.70-230.77 to ensure minimal adverse effects of the proposed discharge.

YES	NO*

6. Factual Determination (§230.11).

A review of appropriate information as identified in items 2-5 above indicates that there is minimal potential for short- or long-term environmental effects of the proposed discharge as related to:

a. Physical substrate at the disposal site (review sections 2a, 3, 4, and 5 above).	YES	NO*
b. Water circulation, fluctuation and salinity (review sections 2a, 3, 4, and 5).	YES	NO*
c. Suspended particulates/turbidity (review sections 2a, 3, 4, and 5)	YES	NO*
d. Contaminant availability (review sections 2a, 3, and 4).	YES	NO*
e. Aquatic ecosystem structure and function (review sections 2b and c, 3, and 5).	YES	NO*
f. Disposal site (review sections 2, 4, and 5).	YES	NO*
g. Cumulative impact on the aquatic ecosystem.	YES	NO*
h. Secondary impacts on the aquatic ecosystem.	YES	NO*

*A negative, significant, or unknown response indicates that the project may not be in compliance with the Section 404(b)(1) Guidelines.

[1]Negative responses to three or more of the compliance criteria at this stage indicates that the proposed projects may not be evaluated using this "short form procedure". Care should be used in assessing pertinent portions of the technical information of items 2a-d, before completing the final review of compliance.
[2]Negative responses to one of the compliance criteria at this stage indicates that the proposed project does not comply with the guidelines. If the economics of navigation and anchorage of Section 404(b)(2) are to be evaluated in the decision-making process, the "short form" evaluation process is inappropriate.
[3]If the dredged or fill material cannot be excluded from individual testing, the "short form" evaluation process is inappropriate.

7. Evaluation Responsibility.

a. This evaluation was prepared by:

Name: Patrick Smith, PhD
Position: Biologist
Organization: U.S. Army Corps of Engineers, New Orleans District
Date: March 8, 2019

b. Water Quality evaluation was prepared by:

c. Water Quality evaluation was reviewed by:
Name: Whitney Hickerson
Position: Hydraulic Engineer
Organization: U.S. Army Corps of Engineers, New Orleans District
Date: March 13, 2019

8. Findings.

a. The proposed disposal site for discharge of dredged or fill material complies with the Section 404(b)(1) guidelines X

b. The proposed disposal site for discharge of dredged or fill material complies with the Section 404(b)(1) guidelines with the inclusion of the following conditions ..... ___

c. The proposed disposal site for discharge of dredged or fill material does not comply with the Section 404(b)(1) guidelines for the following reason(s):

(1) There is a less damaging practicable alternative ..... ___
(2) The proposed discharge will result in significant degradation of the aquatic ecosystem ..... ___
(3) The proposed discharge does not include all practicable and appropriate measures to minimize potential harm to the aquatic ecosystem ..... ___

Date: _____

_____
Chief, Environmental Planning and Compliance Branch

Appendix C: Programmatic Agreement among The United States Army Corps of Engineers, Louisiana State Historic Preservation Officer, and The Advisory Council on Historic Preservation regarding the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction System

Programmatic Agreement
among
The United States Army Corps of Engineers,
Louisiana State Historic Preservation Officer,
and
The Advisory Council on Historic Preservation
regarding the
West Shore Lake Pontchartrain Hurricane and
Storm Damage Risk Reduction System

WHEREAS, historically, residents and businesses of St. Charles, St. John the Baptist, and St. James Parishes, Louisiana have suffered major damage as a result of storms and hurricanes. Recent hurricanes that have impacted the area include Hurricanes Katrina and Rita in 2005, Hurricanes Gustav and Ike in 2008, and Hurricane Isaac in 2012, which caused a storm surge in the area that threatened lives and damaged more than 7,000 homes; and

WHEREAS, the U.S. Congress recognized the need for a hurricane and storm damage risk reduction project in the area with two Congressional resolutions to authorize its study. The first was adopted on July 29, 1971 by the U.S. House of Representatives Committee on Public works.

“RESOLVED BY THE COMMITTEE ON PUBLIC WORKS OF THE HOUSE OF REPRESENTATIVES, UNITED STATES, that the Board of Engineers for Rivers and Harbors is hereby requested to review the report of the Chief of Engineers on Lake Pontchartrain and Vicinity, Louisiana, published as House Document No. 231, 89th Congress, First Session, and other pertinent reports, with a view to determining whether modifications to the recommendations contained therein are advisable at this time, with particular reference to providing additional levees for hurricane protection and flood control in St. John the Baptist Parish and that part of St. Charles Parish west of the Bonnet Carré Spillway."

The U.S. Senate Committee on Public Works adopted a resolution on September 20, 1974.

“RESOLVED BY THE COMMITTEE ON PUBLIC WORKS OF THE UNITED STATES SENATE, that the Board for Rivers and Harbors is hereby requested to review the report of the Chief of Engineers on Lake Pontchartrain and Vicinity, Louisiana, published as House Document No. 231, 89th Congress, First Session, and other pertinent reports, with a view to determining whether modifications to the recommendations contained therein are advisable at this time, for hurricane protection and flood control in St. James Parish."

WHEREAS, the United States Army Corps of Engineers (USACE) has been working with state and local officials to study potential solutions to reduce

damage caused by hurricane and tropical storm surge in the three-parish area. This study has come to be known as the West Shore Lake Pontchartrain (WSLP) Hurricane and Storm Damage Risk Reduction Study; and

WHEREAS, the USACE has determined that the WSLP project is an "Undertaking" pursuant to the National Historic Preservation Act of 1966 (16 U.S.C. 470), as amended, (NHPA), and may have an adverse effect on properties included or eligible for inclusion in the National Register of Historic Places (NRHP); and

WHEREAS, the USACE has elected to fulfill its obligations under Section 106 of the NHPA through the execution and implementation of a Programmatic Agreement (this Agreement) as provided in 36 CFR 800.14(b); and

WHEREAS, the USACE notified the Advisory Council on Historic Preservation (ACHP) of the potential for this undertaking to adversely affect historic properties pursuant to the ACHP's implementing regulations (36 CFR Part 800); and

WHEREAS, the ACHP accepted the invitation to participate in consultation to develop this Agreement and to seek ways to avoid, minimize, or mitigate adverse effects on historic properties; and

WHEREAS, the USACE consulted with the Louisiana State Historic Preservation Officer (LA SHPO), Tribal Historic Preservation Officers (THPO) and federally recognized Indian Tribes as defined under 36 CFR 800.16(m) (Tribes), and other appropriate consulting parties in developing this Agreement in order to define efficient and cost effective processes for taking into consideration the effects of the WSLP project upon historic properties pursuant to 36 CFR 800.14(b); and

WHEREAS, the USACE acknowledges Tribes as sovereign nations which have a unique government-to-government relationship with the federal government and its agencies; USACE further acknowledges its Trust Responsibility to those Tribes; and

WHEREAS, the USACE made a reasonable and good faith effort to identify any Tribes that may attach religious and cultural significance to historic properties that may be affected by the undertaking; and

WHEREAS, the USACE has invited the Alabama-Coushatta Tribe of Texas, Caddo Nation of Oklahoma, Chitimacha Tribe of Louisiana, Choctaw Nation of Oklahoma, Coushatta Tribe of Louisiana, Jena Band of Choctaw Indians, Mississippi Band of Choctaw Indians, Quapaw Tribe of Oklahoma, Seminole Nation of Oklahoma, Seminole Tribe of Florida, and the Tunica-Biloxi Tribe of Louisiana to consult in the development of this Agreement. The Quapaw Tribe of Oklahoma and the Seminole Tribe of Florida have independently determined that

the undertaking is not within their tribe's area of interest and do not wish to comment; and

WHEREAS, the USACE will invite any interested Tribe who participates in the development of this Agreement to sign this Agreement as an Invited Signatory Party, and those Tribes not requesting to sign this Agreement as an Invited Signatory Party will be invited to sign as a Concurring Party; and

WHEREAS, the USACE has involved the public through the National Environmental Policy Act (NEPA) process, which affords all persons, organizations and government agencies the right to review and comment on proposed major federal actions that are evaluated by a NEPA document. Public meetings to collect input during planning were held in January 2009, February 2011, November 2012, April 2013, and May 2013. On August 23, 2013, the USACE released an Integrated Draft Feasibility Report and Environmental Impact Statement for the WSLP project (Draft Report) to the public for a review period of forty-five (45) calendar days. The public review period was extended an additional 14 days to October 22, 2013 as compensation for Federal Government shutdown of 2013. This document included a general discussion of cultural resources within the study area. Public hearings of the Draft Report were held on September 10, September 17, and November 2, 2013. Comments received during the 59-day review and the public hearings are being incorporated into the Integrated Final Feasibility Report and Environmental Impact Statement; and

WHEREAS, the USACE has taken appropriate measures to identify other parties that may be interested specifically in the development of this Agreement, by notification to the Parish Presidents of St. James, St. John the Baptist, and St. Charles Parishes, as well as to four (4) historical associations within these three parishes, and has invited such parties to participate in the development and execution of this Agreement; and

WHEREAS, the USACE has also taken steps to notify the wider public with newspaper announcements in the Times-Picayune of New Orleans, and NOLA.com of New Orleans. The USACE will furthermore take appropriate steps to involve and notify parties, as appropriate, during the implementation of the terms of this Agreement; and

WHEREAS, the Louisiana Coastal Protection and Restoration Authority Board (CPRAB) is a local sponsor for WSLP project and has participated in the development of this Agreement and will be invited to sign this Agreement as a Concurring Party. Any additional local sponsors for the WSLP project will also be invited to sign this Agreement as a Concurring Party; and

NOW, THEREFORE, the USACE, ACHP, and LA SHPO agree that the implementation of the following stipulations will evidence that the USACE has taken into account the effects of the WSLP project upon historic properties.

STIPULATIONS

The USACE shall adhere to the process and protocols set forth in this Agreement.

I. Correspondence

Electronic mail (email) will serve as the official correspondence method for all communications regarding this Agreement and its provisions. See Appendix A for a list of contacts and email addresses. Contact information in Appendix A may be updated as needed without an amendment to this Agreement. It is the responsibility of each signatory to immediately inform the USACE of any change in name, address, email address, or phone number of any point-of-contact. The USACE will forward this information to all signatories by email. Failure of any party to this Agreement to notify the USACE of any change to a point-of-contact's information shall not be grounds for asserting that notice of a proposed action was not received.

A. All standard response timeframes established by 36 CFR Part 800 will apply to this Agreement, unless an alternative response timeframe is agreed to by the LA SHPO and Tribes. The USACE may request expedited review by the LA SHPO and Tribes on a case by case basis. Such expedited review period shall not be less than 10 working days.

II. Tribal Consultation

A. The Chitimacha Tribe of Louisiana, the Choctaw Nation of Oklahoma, and the Coushatta Tribe of Louisiana participated in the development of this Agreement and will sign this Agreement as an Invited Signatory Party.

B. The Mississippi Band of Choctaw Indians participated in the development of this Agreement and will be invited to sign this Agreement as a Concurring Party.

C. The Alabama-Coushatta Tribe of Texas, Caddo Nation of Oklahoma, Jena Band of Choctaw Indians, Seminole Nation of Oklahoma, and the Tunica-Biloxi Tribe of Louisiana will be invited to sign this Agreement as a Concurring Party.

D. The Seminole Tribe of Florida and the Quapaw Tribe of Oklahoma have independently determined that the undertaking is not within their tribe's area of interest and they have elected not to consult further in connection with the WSLP project.

E. The USACE shall make a reasonable and good faith effort to identify any additional Tribes that might attach religious and cultural significance to historic properties in the area of potential effects (APE) for the WSLP project.

F. The USACE shall consult with Tribes that are invited to sign this Agreement as Invited Signatory Parties and Tribes that are invited to sign this agreement as Concurring Parties, as well as any other Tribe that requests in writing to be a consulting party (collectively, “Consulting Tribes”).

G. The USACE will provide the Consulting Tribes with an executed copy of this Agreement and with copies of all plans, determinations, and findings provided to the LA SHPO.

III. Public Involvement

A. The USACE, in consultation with the LA SHPO, shall continue to identify and provide members of the public likely to be interested in the effects of the WSLP project upon historic properties with a description of the undertaking and the provisions of this Agreement.

B. Specific cultural resources data will not be released to the general public or become released as part of NEPA documents.

C. To the extent permitted under applicable federal laws and regulations (e.g., Section 304 of the NHPA, Section 9 of the Archaeological Resources Protection Act [ARPA]), the USACE will release to the public, documents developed pursuant to this Agreement, effects determinations, and Interim Progress Reports.

IV. Other Consulting Parties

A. Any member of the public expressing an interest in the effects of this undertaking on historic properties, may become a consulting party by submitting a written request to USACE.

B. The USACE, in consultation with the LA SHPO, will continue efforts during the duration of this Agreement to identify other parties with demonstrated interests in the preservation of historic properties.

C. The USACE will document the consulting parties in the consultation process for the WSLP project and maintain it as part of the administrative record.

D. If any dispute arises about the right to be recognized as a consulting party, the USACE will contact the ACHP and provide all appropriate documentation. The ACHP will participate in the resolution of the issue.

V. Identification, Evaluation, and Assessment of Effects Determinations

A. The USACE, in consultation with the LA SHPO and Consulting Tribes, will define and document the geographic areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist, referred to as an area of potential effects (APE). Because WSLP contains borrow sources and mitigation areas that are spatially distinct from the risk reduction system, there will be multiple APE (collectively, the WSLP APE). Each APE will assist in identifying the potential for direct, indirect, and cumulative effects upon historic properties. The reasonable and good faith identification and evaluation efforts will be limited to the identified WSLP APE.

B. WSLP APE are defined at this time to include areas that may be directly or indirectly impacted by:

1. A 55-foot wide and 18.27-mile long levee to be constructed in St. John the Baptist Parish, including its associated features (i.e., pump stations, canals, and drainage structures), as well as activities associated with construction (i.e., access roads and staging areas);

2. Three (3) 20-foot wide berms enclosing three residential communities located in St. James Parish with a combined total length of approximately 7 miles;

3. Installation of 145 flap gates on existing culverts below Highway 3125.

C. Borrow sources and mitigation sites are not yet fully defined, and will be coordinated for purposes of defining the APE by the USACE, LA SHPO, and Consulting Tribes. Additional areas of the WSLP APE will be identified as necessary.

D. Following the delineation of final WSLP APE components, the USACE will conduct a reasonable and good faith effort to identify historic properties located within the WSLP APE. Level of survey to be conducted within the APE and methodology will be developed in consultation with the LA SHPO and

Consulting Tribes, in a manner equivalent to the Section 106 Process of NHPA and equivalent to Reconnaissance or Phase I Investigations required by the Louisiana Division of Archaeology. Areas that are inaccessible or are determined to possess a low probability for containing historic properties may be excluded from survey after consultation with the LA SHPO and Consulting Tribes.

E. The USACE will ensure that the results of identification efforts are documented in reports that meet the standards of the Louisiana Division of Archaeology, and will ensure that the reports are submitted to the LA SHPO and Consulting Tribes for review and comment. The USACE will ensure that the comments provided by the LA SHPO and Consulting Tribes are addressed and incorporated into a final report.

F. The USACE will consult with the LA SHPO and Consulting Tribes on the eligibility of any properties identified during the identification effort. For any properties determined not eligible for nomination to the NRHP, no further consideration will be required under the terms of this Agreement. For those properties determined eligible for nomination, the USACE will proceed in accordance with Stipulation VI. For those properties whose eligibility for the NRHP cannot be determined on the basis of the identification effort, the USACE will consult with the LA SHPO and Consulting Tribes to determine if the proposed project can avoid the properties. If the properties can be avoided, the USACE will proceed as in Stipulation VI. If the properties cannot be avoided, the USACE will ensure that additional investigations to evaluate each property's eligibility for nomination will be undertaken.

G. The USACE will ensure that the results of the evaluation efforts are documented in reports that meet the standards of the Louisiana Division of Archaeology and will ensure that the reports are submitted to the LA SHPO and Consulting Tribes for review and comment. The USACE will ensure that the comments provided by the LA SHPO and Consulting Tribes are addressed and incorporated into a final report.

H. The USACE will consult with the LA SHPO and Consulting Tribes on the eligibility of the properties assessed during the evaluation effort. For any properties determined not eligible for nomination to the NRHP, no further consideration will be required. For those properties determined eligible for nomination, the USACE will proceed in accordance with Stipulation VII.

I. In the event of disagreement between the USACE, LA SHPO, and/or Consulting Tribes concerning the eligibility of a property for listing in the NRHP under 36 CFR Part 60, the USACE shall request a formal determination of eligibility for that property from the Keeper of the NRHP (Keeper). The determination by the Keeper will serve as the final decision regarding the NRHP eligibility of the property.

VI. Coordination of Effects Determinations

A. The USACE shall evaluate the effects of a project activity on historic properties in a holistic manner and will not segment activities. In the event the USACE determines that any aspect of the project activity will have an effect or adverse effect on a historic property within the WSLP APE, the entire project activity will be reviewed accordingly.

B. Consultation under this Agreement will be concluded for USACE findings of *no historic properties affected* and *no adverse effect* when the LA SHPO and Consulting Tribes have been provided the opportunity to review and comment on the written documentation and either concur or do not object within 30 days of receipt of the USACE finding, and subject to the provisions of this Agreement.

C. Following submission of written documentation to the LA SHPO and Consulting Tribes, the USACE may propose a finding of *no adverse effect with conditions*, as appropriate. Such conditions may include, but are not limited to:

1. Avoidance and/or preservation-in-place of historic properties;

2. Modifications or conditions to ensure consistency with the Secretary of Interior's Standards for the Treatment of Historic Properties and applicable guidelines.

D. In the event of an objection by the LA SHPO, Consulting Tribes or other consulting parties regarding the USACE’s findings of *no historic properties affected*, findings of *no adverse effect*, and findings of *no adverse effect with conditions*, the USACE shall seek to resolve such objection through consultation in accordance with procedures outlined in Stipulation XII.

VII. Resolution of Adverse Effects

A. In the event that the USACE, in consultation with the LA SHPO and Consulting Tribes, determines that the implementation of a project activity may result in an adverse effect to historic properties (as defined in 36 CFR 800.5(a)(1) and (2) of the ACHP's regulations), the USACE shall notify the ACHP, LA SHPO, Consulting Tribes, other consulting parties and the public. If the project activity will affect a National Historic Landmark, USACE shall also notify the National Park Service (NPS). The notification of adverse effect shall include the following documentation, subject to the confidentiality provisions of 36 CFR 800.6:

1. Summary description of the activity area;

2. Summary of identification efforts in accordance with this agreement;

3. Summary analysis of effects to historic properties;

4. Summary of alternatives considered to avoid or reduce adverse effects;

5. Proposed mitigation measures in accordance with Stipulation VIII when adverse effects cannot be avoided or conditioned to reach a determination of no adverse effect; and

6. Request for ACHP comment and involvement, as appropriate.

B. The ACHP, LA SHPO, Consulting Tribes, and any additional consulting parties, including the NPS, as appropriate, shall be afforded an opportunity to review and to comment on the adverse effect notification for a period of thirty (30) calendar days after receipt of the adverse effect notification.

C. Should the USACE, LA SHPO, and Consulting Tribes disagree on the proposed mitigation measures, the USACE shall seek to resolve such objection through consultation in accordance with Stipulation XII.

VIII. Standard Mitigation Measures

A. The USACE, in coordination with the ACHP, LA SHPO, Consulting Tribes, and other consulting parties, will identify standard mitigation measures for adverse effects to historic properties. Standard mitigation measures will be tailored to the significance of the historic property, and may include, but are not necessarily limited to, one or more of the following:

1. Public Interpretation;

2. Documentation consistent with the Level II Standards of the Historic American Building Survey/Historic American Engineering Record (HABS/HAER);

3. Historical, Architectural or Archeological Monographs;

4. Rehabilitation of historic buildings in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (36 CFR Part 68);

5. Off-site mitigation, including acquisition of property or preservation easements on property, as appropriate and legal, containing threatened resources of comparable significance in circumstances where there is an imminent need to proceed with construction activity and it is in the public interest;

6. Ethnographic studies;

7. Studies of traditional cultural properties;

8. Relocation of historic properties to sites approved by the LA SHPO as possessing similar overall character; and

9. Data recovery for archeological properties.

B. In the event that the ACHP, LA SHPO, and/or Consulting Tribes determine that standard mitigation measures are not adequate or appropriate to resolve adverse effects, the USACE, LA SHPO, and Consulting Tribes will consult to negotiate additional mitigation measures. Other consulting parties may express their concerns regarding mitigation measures through written comments submitted to any of the signatories to the Agreement.

C. Once the USACE, ACHP, LA SHPO, and/or Consulting Tribes agree to the terms of the mitigation, such agreement will be formalized through an MOA executed and implemented pursuant to 36 CFR 800.6(c). Such MOA shall be forwarded to all signatories to this Agreement. If there is a disagreement that cannot be resolved, the formal dispute provisions at Stipulation XII will be implemented.

IX. Curation

The USACE will ensure that all collections and associated records retrieved or created during the life of this Agreement are curated in accordance with 36 CFR Part 79.

X. Unanticipated Discoveries and Effects

A. In the event that the USACE discovers a previously unidentified cultural resource, including but not limited to archeological sites, standing structures, human remains, and properties of traditional religious and cultural significance to Tribes, during the execution of the project, the USACE immediately shall secure the immediate jobsite by the most appropriate quickly available means, to include but not necessarily limited to a 50-foot radius buffer around the unexpected discovery, and suspend work in that buffered area of the affected resource. The USACE shall immediately notify the LA SHPO, Consulting Tribes, and additional consulting parties, as appropriate, of the finding. Any previously unidentified cultural resource will be treated as though it is eligible for the NRHP until other determination may be made. If consulting parties agree that the cultural resource is not eligible for the NRHP, then suspension of work will end. If consulting parties agree that the cultural resource is eligible for the NRHP, then the USACE, in consultation with the LA SHPO and Consulting Tribes, will develop a treatment plan or Standard Mitigation Measures agreement in accordance with Stipulation VIII. USACE will implement the plan or Standard Mitigation Measures agreement once approved by the LA SHPO, Consulting Tribes, and additional consulting parties, as appropriate. If there is a disagreement that cannot be resolved, the formal dispute provisions at Stipulation XII will be implemented.

B. In the event that the USACE is notified of a previously unidentified archaeological property on federal or tribal land during the execution of any of the undertakings, the USACE will ensure that procedures established by ARPA 1979 (Public Law

96-95; 16 U.S.C. 470aa-mm), as amended, and implementing regulations (43 CFR Part 7) will be followed.

C. The USACE shall insure that all contractors are made aware of the requirements of this Agreement. Language of Stipulation X shall be included in Construction Plans and Specifications. In the event that a contractor discovers a previously unidentified cultural resource, the contractor shall immediately notify the USACE and refrain from further project activities within a minimum of 50 feet from the discovery (50-foot radius no work buffer), and shall take reasonable efforts to avoid and minimize harm to the cultural resource. The USACE shall implement any additional measures thought necessary to secure the historic property for safety and security concerns.

D. In the event that previously unidentified effects to historic properties are identified following the completion of work within an activity area, any party may provide the USACE with evidence of such effects for a period of twelve (12) months from the completion of the affecting work. The USACE, in consultation with the LA SHPO, Consulting Tribes, and ACHP, as appropriate, will review and if determined necessary will develop a treatment plan or Standard Mitigation Measures agreement in accordance with Stipulation VIII.

E. If the USACE, LA SHPO, and/or Consulting Tribes cannot agree on an appropriate course of action to address the discovery situation, the USACE shall initiate the dispute resolution process set forth in Stipulation XII.

XI. Discovery of Human Remains

A. Language of Stipulation XI shall be included in Construction Plans and Specifications, to offer fullest knowledge of the importance therein.

B. When human remains or indications of a burial are discovered, the individual(s) who made the discovery shall immediately notify the local law enforcement and the USACE, New Orleans District. All work shall cease within a minimum of 50 feet from the discovery (50-foot radius no work buffer) until and unless determined otherwise in consultation according to this Agreement.

C. The USACE may authorize the activity in the direct discovery areas to resume, following the completion of all necessary steps as outlined below.

D. In the event that the USACE is notified of a previously unidentified burial, including burial sites, human skeletal remains, or burial artifacts, on private or state land during the execution of any of the Undertakings, the USACE will ensure that the procedures established in the Louisiana Unmarked Human Burial Sites Preservation Act (La. R.S. 8:671-681) will be followed.

E. In the event that the USACE is notified of a previously unidentified burial, including burial sites, human remains or funerary objects, on federal or tribal land during the execution of any of the undertakings, the USACE will ensure that procedures established by ARPA 1979 (Public Law 96-95; 16 U.S.C. 470aa-mm), as amended, and implementing regulations (43 CFR Part 7) will be followed.

F. In the event that the USACE is notified of a previously unidentified American Indian burial, including burial sites, human remains or funerary objects, on federal or tribal land during the execution of any of the undertakings, the USACE will ensure that procedures established by the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 and the regulations that implement it (43 CFR Part 10) will be followed.

G. The USACE shall have an archaeologist immediately survey or resurvey the general area where the remains were found to determine the nature of the remains and evaluate the possibility of preserving the remains in place or whether they will need to be exhumed/moved. Tribes likely to have a cultural affiliation with the remains will be notified by telephone immediately in accordance with 43 CFR Part 10.4(b). If possible, Tribal representative(s) shall be present to advise on appropriate treatment of the exposed remains and on the most appropriate long-term solution.

H. The USACE shall provide information collected on the nature of the remains and a recommended plan of action pursuant to 43 CFR 10.5(e) within five (5) working days to the Consulting Tribes and the LA SHPO. The USACE shall consult with all relevant parties to determine the appropriate course of action with regard to the human remains and any accompanying artifacts, grave goods, or funerary objects.

I. All signatories agree that the most appropriate treatment, if feasible, is to protect the remains and permanently preserve the burial in situ.

J. If the USACE, after consultation, determines that protection, avoidance, or repair is not feasible, disinterment shall be conducted in accordance with methods and procedures developed in accordance with the appropriate federal and state laws and in consultation with the Consulting Tribes and the LA SHPO.

XII. Dispute Resolution

A. Except for the resolution of eligibility issues, as set forth in Stipulation V, should the LA SHPO, Consulting Tribes, or a member of the public disagree on the implementation of the provisions of this agreement, they will notify the USACE, who will seek to resolve such objection through consultation.

B. If the dispute cannot be resolved through consultation, the USACE shall forward all documentation relevant to the dispute to the ACHP, including any proposed resolution identified during consultation. Within seven (7) calendar days after receipt of all pertinent documentation, the ACHP may:

1. Provide the USACE with recommendations to take into account in reaching final decision regarding the dispute; or

2. Notify the USACE that it will comment pursuant to 36 CFR 800.7(c) and provide formal comments within twenty-one (21) calendar days.

C. Any recommendation or comment provided by the ACHP will be understood to pertain only to the subject of the dispute, and the USACE's responsibilities to fulfill all actions that are not subject of the dispute will remain unchanged.

D. If the ACHP does not provide the USACE with recommendations or notification of its intent to provide formal comments within seven (7) calendar days, the USACE may assume that the ACHP does not object to its recommended approach and it will proceed accordingly.

XIII. Administration, Effect, and Duration of this Agreement

A. This Agreement will be signed in counterparts and shall take effect upon execution by the ACHP, USACE, and LA SHPO.

B. This Agreement will remain in effect for ten (10) years from the date of execution, unless extended for a two-year period by written agreement negotiated by all signatories.

C. All signatories to this Agreement shall meet annually to evaluate the effectiveness of this Agreement, beginning one (1) year after the date of execution. The USACE shall coordinate such annual meetings following the execution of this Agreement. At each annual meeting, held in manner and location as mutually agreed upon by all signatories, the effectiveness of the Stipulations of this Agreement shall be discussed. After five (5) years, all signatories will begin the discussion to consider any cumulative effects as discussed by Stipulation XIV.

XIV. Comprehensive Review

A. Upon completion of the construction activities for the WSLP project, the USACE will analyze the undertaking holistically to identify cumulative effects upon historic properties. Cumulative effects are those coincident effects on specific resources of all related activities, not just the proposed actions governed by the Stipulations of this Agreement.

B. The USACE, in consultation with the signatories to this Agreement, shall identify and implement additional mitigation measures to address adverse cumulative effects, as appropriate. If there is a disagreement that cannot be resolved, the formal dispute provisions at Stipulation XII will be implemented.

C. Measures to address adverse cumulative effects shall be documented in a report that meets the standards of the Louisiana Division of Archaeology and will be submitted to the LA SHPO and Consulting Tribes for review and comment. The final cumulative report shall be distributed to the signatories to this Agreement, as well as any additional consulting parties.

XV. Amendment and Termination

A. Notwithstanding any provision of this Agreement, USACE, ACHP, LA SHPO, and Invited Signatory Parties may request that it be amended, whereupon these parties will consult to consider such amendment. The USACE will facilitate such consultation within thirty (30) days of receipt of the written request. Any amendment will be in writing and will be signed by the USACE, ACHP, LA SHPO, and Invited Signatory Parties, and shall be effective on the date of the final signature.

B. Any Invited Signatory Party may withdraw its participation in this Agreement by providing thirty (30) days advance written notification to all other parties. In the event of withdrawal by one Invited Signatory Party, the Agreement will remain in effect for the other signatories.

C. The Agreement may be terminated in accordance with 36 CFR Part 800. Any party requesting termination of this Agreement shall provide thirty (30) days advance written notification to all other signatories.

Execution of this Agreement by the ACHP, USACE, and LA SHPO and implementation of its terms, evidences that the USACE has taken into account the effects of the WSLP project upon historic properties and has afforded the ACHP an opportunity to comment.

Programmatic Agreement
among
The United States Army Corps of Engineers,
Louisiana State Historic Preservation Officer,
and
The Advisory Council on Historic Preservation
regarding the
West Shore Lake Pontchartrain Hurricane and
Storm Damage Risk Reduction System

Execution of this Agreement by the ACHP, USACE, and LA SHPO and implementation of its terms, evidences that the USACE has taken into account the effects of the WSLP project upon historic properties and has afforded the ACHP an opportunity to comment.

Signatory:

United States Army Corps of Engineers

By: Richard L. Hansen Date: 5/15/14
Richard L. Hansen
Colonel, U.S. Army
District Commander

Programmatic Agreement
among
The United States Army Corps of Engineers,
Louisiana State Historic Preservation Officer,
and
The Advisory Council on Historic Preservation
regarding the
West Shore Lake Pontchartrain Hurricane and
Storm Damage Risk Reduction System

Execution of this Agreement by the ACHP, USACE, and LA SHPO and implementation of its terms, evidences that the USACE has taken into account the effects of the WSLP project upon historic properties and has afforded the ACHP an opportunity to comment.

Signatory:

Louisiana State Historic Preservation Officer

By: Pam Breaux Date: 5-15-14

Pam Breaux
Louisiana State Historic Preservation Officer
Louisiana Office of Cultural Development

Programmatic Agreement
among
The United States Army Corps of Engineers,
Louisiana State Historic Preservation Officer,
and
The Advisory Council on Historic Preservation
regarding the
West Shore Lake Pontchartrain Hurricane and
Storm Damage Risk Reduction System

Execution of this Agreement by the ACHP, USACE, and LA SHPO and implementation of its terms, evidences that the USACE has taken into account the effects of the WSLP project upon historic properties and has afforded the ACHP an opportunity to comment.

Signatory:

Advisory Council on Historic Preservation

By: John M. Fowler Date: 5/16/14
John M. Fowler
Executive Director
Advisory Council on Historic Preservation

Programmatic Agreement
among
The United States Army Corps of Engineers,
Louisiana State Historic Preservation Officer,
and
The Advisory Council on Historic Preservation
regarding the
West Shore Lake Pontchartrain Hurricane and
Storm Damage Risk Reduction System

Invited Signatory Party:

Chitimacha Tribe of Louisiana

By: John Paul Darden Date: 6-25-14
John Paul Darden, Chairman

APPENDIX A
CONTACT INFORMATION

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DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

February 27, 2014

Regional Planning and
Environment Division, South
New Orleans Environmental Branch

Reid Nelson, Director
Office of Federal Agency Programs
Advisory Council on Historic Preservation
Old Post Office
1100 Pennsylvania Ave., NW, Suite 809
Washington, D.C. 20004

Dear Mr. Nelson:

The United States Army Corps of Engineers (USACE), New Orleans District (CEMVN), is consulting for development of a Programmatic Agreement (PA) for the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction System (WSLP) Study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate.

The proposed undertakings of the WSLP Study have the potential to effect historic properties. The WSLP Study was first authorized in 1971 and experienced many variations and delays, but now finds further development to be directed by the USACE SMART Feasibility Study Process. A draft Integrated Feasibility Report and Environmental Impact Statement for the WSLP study is available for review at http://www.mvn.usace.army.mil/Portals/56/docs/PD/Projects/WSLP/WSLPFINAL.pdf.

The CEMVN is currently funding a cultural resources survey for an approximately 18.5 mile, 550-foot wide, proposed levee corridor (TSP C) (to include construction, adjacent drainage ditch reservoirs, and Right-of-Way), that is the largest single component of the WSLP study. This levee corridor is immediately adjacent to previous cultural resource surveys (as per Louisiana SHPO files) with negative findings, for approximately 10 linear miles. Approximately 1.8 miles of levee corridor pass through or adjacent to cultural resource site 16SJB68 (Angelina Plantation) near the Mississippi River. This site received extensive cultural resources survey in 2012 (Louisiana Site Report 22-4288), and did not locate National Register of Historic Places (NRHP) eligible resources within the proposed levee corridor. Remaining areas of corridor that remain unsurveyed are within seasonally wet lands not conducive to recoverable human activity or preserved cultural resources. No other cultural resources have been recorded within 1 miles of the TSP C levee corridor. It is anticipated that any previously unrecorded cultural resource will be located by the current survey underway for the WSLP study.

Remaining undertakings of the WSLP Study are defined as "non-structural" and were not sufficiently designated in time to be included within the currently-conducted cultural resources survey, but are thought to be similarly low-probability to affect cultural resources. Existing Louisiana Highway 3125 has an elevated roadway, and will serve as a low berm to prevent storm water from affecting any resources to its south. A series of flap gates will be integrated under the roadway to allow natural water-flow as necessary and not artificially create flood damages. Site 16SJ1 is a prehistoric mound site on private property, considered eligible for the NRHP and approximately 600 feet south of Highway 3125. Two other sites located within 1000 feet of 16SJ1 are 16SJ50 (prehistoric midden; NRHP eligibility undetermined) and 16SJ51 (prehistoric mound; NRHP eligibility undetermined), located approximately 500 feet and 250 feet south of Highway 3125, respectively. The other recorded cultural resource within ½ mile of Highway 3125 within WSLP system is 16SJ56 (historic trash dump; NRHP ineligible according to SHPO). Highway 3125 also crossed the property boundaries of Wilton (16SJ20) and Helvetia (16SJ21) Plantations, portions of which are considered eligible for the NRHP; however according to cultural resources survey in 2011 (Louisiana Site Report 22-3017) no NRHP eligible portion is located in areas of potential effect by proposed flap gates under Highway 3125.

Protective low berms will be built around residences in the small communities of Gramercy and Grand Point, and similarly were not sufficiently designated in time to receive a cultural resources survey. A total of 3 berms with approximate 15-foot basal footprint are proposed. Total length of berms proposed is approximately 6.5 miles. These berm footprints are also thought to be of low probability to affect cultural resources because of: 1) their distance (ca. 1.4, 1.5, and 2.5 miles at closest) to the Mississippi River natural levee and its more stable soils; 2) their closer proximity to seasonally wet soils; 3) the lack of an identified cultural resource by any proximate cultural resources survey; and 4) their overlap on previously developed land likely to have disturbed any previously existing cultural resource.

The SMART Feasibility Study Process implemented by USACE designates that the WSLP Study should next seek Congressional approval for construction and move to Preliminary Engineering Design (PED) of proposed features, using information and risks now extant. Discussion for a Programmatic Agreement to be formed is considered as follows:

1) Any cultural resource that may be found during the currently ongoing cultural resources survey will not have opportunity for NRHP testing if such is required by findings.
2) Borrow Material for the TSP C levee is expected to come from Bonnet Carre Spillway and has been previously coordinated for Section 106. Any change of borrow source must be coordinated for Section 106.
3) Mitigation for swamp or bottomland hardwoods that may be destroyed during construction activities, is proposed for an area near the Amite River Diversion canal. This location has not been coordinated for Section 106, and therefore must be coordinated for Section 106.

4) Although considered low potential lands to contain cultural resources, the flap gates to be placed along Highway 3125 are not sufficiently configured to determine if they may impact a cultural resource. PED should designate that no construction take place within agreed distance from sites 16SJ1, 16SJ50, and 16SJ51. Section 106 coordination should be agreed once offset from previously-existing Highway 3125 is known.
5) Although considered low potential lands to contain a cultural resource, the protective berms around Gramercy and Grand Point have not been coordinated for Section 106, and therefore must be coordinated for Section 106.
6) Currently proposed features leave approximately 80 homes outside of the WSLP system. 33 of these homes are calculated to require lifting to include them within the desired protection from a 100-year storm event. Any homes to be raised should be examined to determine if raising would adversely affect any existing NRHP status.

Maps and information that are helpful to familiarize with project area, are enclosed. A teleconference has been scheduled for March 6, 2014, at 10 a.m. central time, and the agenda and call-in information will be provided by email.

The point of contact at the CEMVN is Dr. Paul Hughbanks. You can reach him at the above address or by phone at (504) 862-1100 or by e-mail at Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter will be submitted to Dr. Tom McCulloch, tmcculloch@achp.gov.

Sincerely,

Sandra Sills

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

February 27, 2014

Regional Planning and
Environment Division, South
New Orleans Environmental Branch

Ms. Pam Breaux
State Historic Preservation Officer
Department of Culture, Recreation, & Tourism
P.O. Box 44247
Baton Rouge, LA 70804

Dear Ms. Breaux:

The United States Army Corps of Engineers (USACE), New Orleans District (CEMVN), is consulting for development of a Programmatic Agreement (PA) for the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction System (WSLP) Study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate.

The proposed undertakings of the WSLP Study have the potential to effect historic properties. The WSLP Study was first authorized in 1971 and experienced many variations and delays, but now finds further development to be directed by the USACE SMART Feasibility Study Process. A draft Integrated Feasibility Report and Environmental Impact Statement for the WSLP study is available for review at http://www.mvn.usace.army.mil/Portals/56/docs/PD/Projects/WSLP/WSLPFINAL.pdf.

The CEMVN is currently funding a cultural resources survey for an approximately 18.5 mile, 550-foot wide, proposed levee corridor (TSP C) (to include construction, adjacent drainage ditch reservoirs, and Right-of-Way), that is the largest single component of the WSLP study. This levee corridor is immediately adjacent to previous cultural resource surveys (as per Louisiana SHPO files) with negative findings, for approximately 10 liner miles. Approximately 1.8 miles of levee corridor pass through or adjacent to cultural resource site 16SJB68 (Angelina Plantation) near the Mississippi River. This site received extensive cultural resources survey in 2012 (Louisiana Site Report 22-4288), and did not locate National Register of Historic Places (NRHP) eligible resources within the proposed levee corridor. Remaining areas of corridor that remain unsurveyed are within seasonally wet lands not conducive to recoverable human activity or preserved cultural resources. No other cultural resources have been recorded within 1 miles of the TSP C levee corridor. It is anticipated that any previously unrecorded cultural resource will be located by the current survey underway for the WSLP study.

Remaining undertakings of the WSLP Study are defined as "non-structural" and were not sufficiently designated in time to be included within the currently-conducted cultural resources survey, but are thought to be similarly low-probability to affect cultural resources. Existing Louisiana Highway 3125 has an elevated roadway, and will serve as a low berm to prevent storm water from affecting any resources to its south. A series of flap gates will be integrated under the roadway to allow natural water-flow as necessary and not artificially create flood damages. Site 16SJ1 is a prehistoric mound site on private property, considered eligible for the NRHP and approximately 600 feet south of Highway 3125. Two other sites located within 1000 feet of 16SJ1 are 16SJ50 (prehistoric midden; NRHP eligibility undetermined) and 16SJ51 (prehistoric mound; NRHP eligibility undetermined), located approximately 500 feet and 250 feet south of Highway 3125, respectively. The other recorded cultural resource within ½ mile of Highway 3125 within WSLP system is 16SJ56 (historic trash dump; NRHP ineligible according to SHPO). Highway 3125 also crossed the property boundaries of Wilton (16SJ20) and Helvetia (16SJ21) Plantations, portions of which are considered eligible for the NRHP; however according to cultural resources survey in 2011 (Louisiana Site Report 22-3017) no NRHP eligible portion is located in areas of potential effect by proposed flap gates under Highway 3125.

Protective low berms will be built around residences in the small communities of Gramercy and Grand Point, and similarly were not sufficiently designated in time to receive a cultural resources survey. A total of 3 berms with approximate 15-foot basal footprint are proposed. Total length of berms proposed is approximately 6.5 miles. These berm footprints are also thought to be of low probability to affect cultural resources because of: 1) their distance (ca. 1.4, 1.5, and 2.5 miles at closest) to the Mississippi River natural levee and its more stable soils; 2) their closer proximity to seasonally wet soils; 3) the lack of an identified cultural resource by any proximate cultural resources survey; and 4) their overlap on previously developed land likely to have disturbed any previously existing cultural resource.

The SMART Feasibility Study Process implemented by USACE designates that the WSLP Study should next seek Congressional approval for construction and move to Preliminary Engineering Design (PED) of proposed features, using information and risks now extant. Discussion for a Programmatic Agreement to be formed is considered as follows:

1) Any cultural resource that may be found during the currently ongoing cultural resources survey will not have opportunity for NRHP testing if such is required by findings.
2) Borrow Material for the TSP C levee is expected to come from Bonnet Carre Spillway and has been previously coordinated for Section 106. Any change of borrow source must be coordinated for Section 106.
3) Mitigation for swamp or bottomland hardwoods that may be destroyed during construction activities, is proposed for an area near the Amite River Diversion canal. This location has not been coordinated for Section 106, and therefore must be coordinated for Section 106.

4) Although considered low potential lands to contain cultural resources, the flap gates to be placed along Highway 3125 are not sufficiently configured to determine if they may impact a cultural resource. PED should designate that no construction take place within agreed distance from sites 16SJ1, 16SJ50, and 16SJ51. Section 106 coordination should be agreed once offset from previously-existing Highway 3125 is known.
5) Although considered low potential lands to contain a cultural resource, the protective berms around Gramercy and Grand Point have not been coordinated for Section 106, and therefore must be coordinated for Section 106.
6) Currently proposed features leave approximately 80 homes outside of the WSLP system. 33 of these homes are calculated to require lifting to include them within the desired protection from a 100-year storm event. Any homes to be raised should be examined to determine if raising would adversely affect any existing NRHP status.

Maps and information that are helpful to familiarize with project area, are enclosed. A teleconference has been scheduled for March 6, 2014, and the agenda and call-in information will be provided by email.

The point of contact at the CEMVN is Dr. Paul Hughbanks. You can reach him at the above address or by phone at (504) 862-1100 or by e-mail at Paul.J.Hughbanks@usace.army.mil. An electronic cop of this letter is also being sent to Section106@crt.la.gov.

Sincerely,

for Sandra Stiles
Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

February 27, 2014

Regional Planning and
Environment Division, South
New Orleans Environmental Branch

Mr. Jerome Zeringue, Executive Director
Coastal Protection and
Restoration Authority Board of Louisiana
P.O. Box 94004
Office of Governor-Coastal, 4th Floor
Baton Rouge, LA 70804

Dear Mr. Zeringue:

The United States Army Corps of Engineers (USACE), New Orleans District (CEMVN), is consulting for development of a Programmatic Agreement (PA) for the West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction System (WSLP) Study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate.

The proposed undertakings of the WSLP Study have the potential to effect historic properties. The WSLP Study was first authorized in 1971 and experienced many variations and delays, but now finds further development to be directed by the USACE SMART Feasibility Study Process. A draft Integrated Feasibility Report and Environmental Impact Statement for the WSLP study is available for review at http://www.mvn.usace.army.mil/Portals/56/docs/PD/Projects/WSLP/WSLPFINAL.pdf.

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Maps and information that are helpful to familiarize with project area, are enclosed. A teleconference has been scheduled for March 6, 2014, and the agenda and call-in information will be provided by email.

The point of contact at the CEMVN is Dr. Paul Hughbanks. You can reach him at the above address or by phone at (504) 862-1100 or by e-mail at Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter will be submitted to Ms. Elizabeth Jarrell, elizabeth.jarrell@la.gov and Ms. Elizabeth Davoli, elizabeth.davoli@la.gov.

Sincerely,

Sandra Stiles

for Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P. O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

MAY 0 3 2013

Ms. Pam Breaux
State Historic Preservation Officer
Department of Culture, Recreation and Tourism
Office of Cultural Development
P.O. Box 44247
Baton Rouge, Louisiana 70804

Re: West Shore Lake Pontchartrain Hurricane Protection Project, St. John the Baptist and St. Charles Parish, Louisiana.

Dear Ms. Breaux:

The U.S. Army Corps of Engineers, New Orleans District (The Corps) has been in process of collecting data to select an alignment for construction of a levee in St. Charles and St. John the Baptist Parish, intended to protect the citizens of these parishes from storm surges that have shown able to cause extreme flooding. No construction has yet taken place on the ground, and the Corps has developed three alignments that appear most suitable given the various interests of federal and local governments. Each of these alignments begins at the western guide levee of the Bonnet Carre Spillway, and then diverge in different paths to protect various amounts of land and urban settlement. An image showing each of these three alignments is enclosed in this letter, for your review.

The Corps has been studying the need for this protection levee for many years, and in 2001 requested that Earth Search, Inc. conduct a cultural resources survey of an alignment very similar to Alignment A (Report 22-2559; Wilson et al. 2003). No cultural resources were located as a result of this survey. Alignments C and D have not received specific cultural resources surveys, although the Corps has reviewed available records of previous surveys or previously recorded cultural resources, and found that large portions of these alignments have been partially covered by other surveys without finding cultural resources. However, the Corps does intend to continue collecting information as to the potential effects caused by the construction of any protection levee, as well as potential effects of weather events after any levee is in place. This information will continue to be compared to known cultural resource locations and surveys. The Corps will continue consultation in compliance with Section 106 of the National Historic Preservation Act.

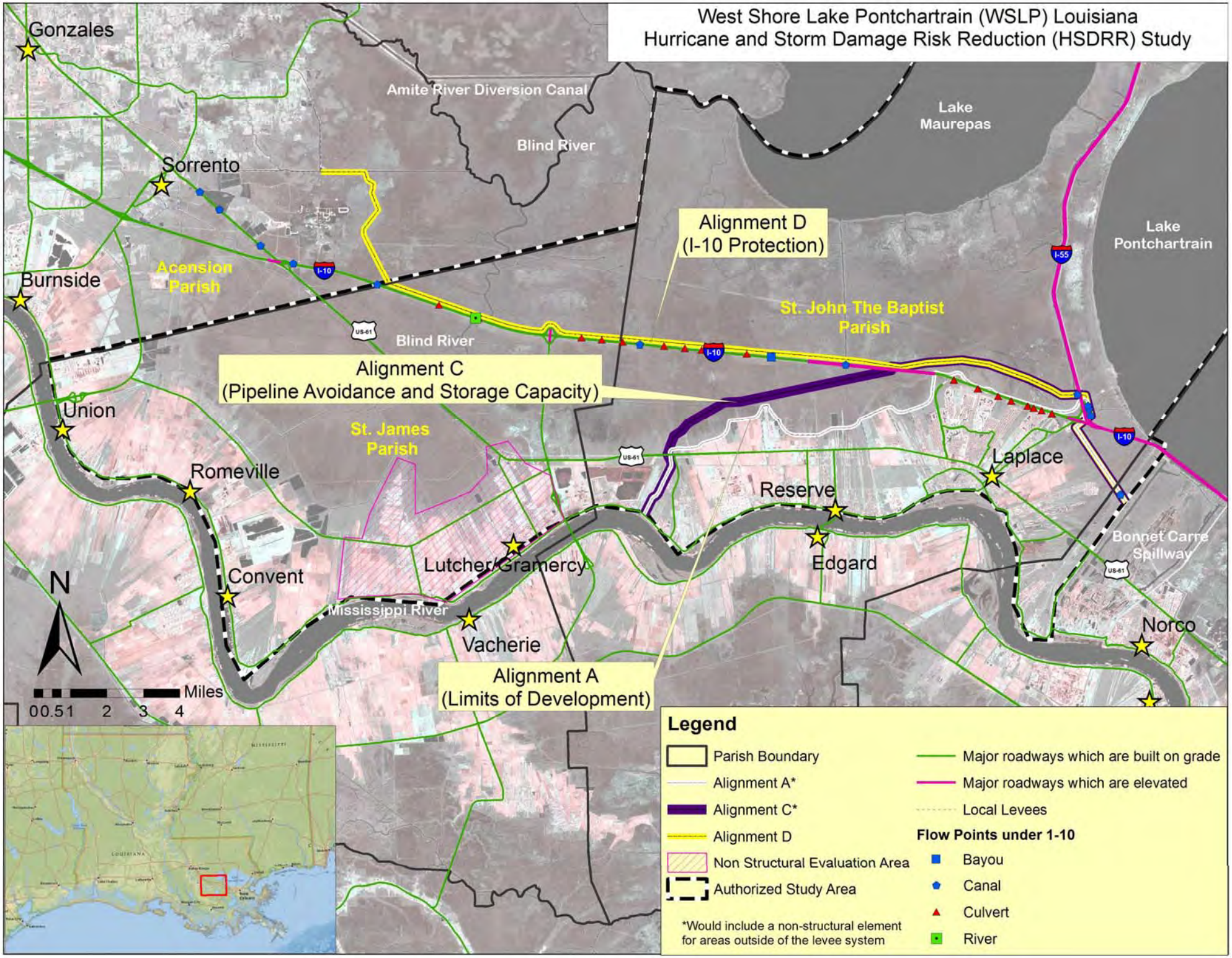
The Corps has sent this letter with intention to inform you of the current status of this project and our continuing efforts to be aware of any potential to affect historic resources. If you have concerns with this method and area of investigation, we invite you to notify us of those concerns so that we may be fully aware of them as this project proceeds. Please contact project archaeologist Dr. Paul Hughbanks, (504) 862-1100, Paul.J.Hughbanks@usace.army.mil, with any questions or comments.

Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures


West Shore Lake Pontchartrain (WSLP) Louisiana
Hurricane and Storm Damage Risk Reduction (HSDRR) Study
Gonzales
Amite River Diversion Canal
Blind River
Lake Maurepas
Lake Pontchartrain
Sorrento
Alignment D
(I-10 Protection)
Acension Parish
Burnside
St. John The Baptist Parish
Blind River
Alignment C
(Pipeline Avoidance and Storage Capacity)
Union
St. James Parish
Romeville
Laplace
Reserve
Bonnet Carre Spillway
Edgard
Lutcher/Gramercy
Convent
Mississippi River
Vacherie
Norco
Alignment A
(Limits of Development)
N
Miles
00.51 2 3 4
Legend
Parish Boundary
Alignment A*
Alignment C*
Alignment D
Non Structural Evaluation Area
Authorized Study Area
*Would include a non-structural element for areas outside of the levee system
Major roadways which are built on grade
Major roadways which are elevated
Local Levees
Flow Points under 1-10
Bayou
Canal
Culvert
River

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

Carlos Bullock, Chairman
Alabama-Coushatta Tribe of Texas
571 State Park Rd 56
Livingston, TX 77351

Dear Chairman Bullock:

The United States Army Corps of Engineers, New Orleans District (CEMVN), is continuing consultation to develop Programmatic Agreements (PAs) for two studies, the Southwest Coastal Louisiana (SWC LA) study and the West Shore Lake Pontchartrain (WSLP) study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate in the consultation for the development of these two separate PAs.

The CEMVN has determined that implementation of the selected TSP for each study has the potential to cause effects on historic properties and proposes to develop two PAs to establish Section 106 consultation procedures tailored to the accelerated schedules required by the USACE SMART Feasibility Study Process. The undertakings have been summarized in previous Section 106 consultation correspondence and are detailed in the draft Integrated Feasibility Report and Programmatic Environmental Impact Statement for the SWC LA study, available electronically for review at http://www.mvn.usace.army.mil/About/Projects/SouthwestCoastal.aspx and the draft Integrated Feasibility Report and Environmental Impact Statement for the WSLP study, available electronically for review at http://www.mvn.usace.army.mil/About/Projects/WestShoreLakePontchartrain.

A teleconference has been scheduled for March 10, 2014, and the agenda and call-in information will be provided by email. We request that you inform us of your desire to participate as a consulting party in these PAs. Given the accelerated schedules, CEMVN requests that consultation for the development of the PAs utilize a combination of email and teleconferences.

As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; rebecca.hill@usace.army.mil. An electronic copy of this letter and all future correspondence pertaining to the development of the PAs will be provided electronically to Mr. Bryant J. Celestine, Historic Preservation Officer, Alabama Coushatta Tribe of Texas, celestine.bryant@actribe.org.

Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

Brenda Shemayme Edwards, Chairwoman
Caddo Nation of Oklahoma
P.O. Box 487
Binger, OK 73009

Dear Chairwoman Edwards:

The United States Army Corps of Engineers, New Orleans District (CEMVN), is continuing consultation to develop Programmatic Agreements (PAs) for two studies, the Southwest Coastal Louisiana (SWC LA) study and the West Shore Lake Pontchartrain (WSLP) study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate in the consultation for the development of these two separate PAs.

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As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; rebecca.hill@usace.army.mil. An electronic copy of this letter and all future correspondence pertaining to the development of the PAs will be provided electronically to Mr. Robert Cast, Tribal Historic Preservation Officer, Caddo Nation of Oklahoma, rcast@caddonation.org.

Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

John Paul Darden, Chairman
Chitimacha Tribe of Louisiana
P.O. Box 661
Charenton, LA 70523

Dear Chairman Darden:

The United States Army Corps of Engineers, New Orleans District (CEMVN), is continuing consultation to develop Programmatic Agreements (PAs) for two studies, the Southwest Coastal Louisiana (SWC LA) study and the West Shore Lake Pontchartrain (WSLP) study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate in the consultation for the development of these two separate PAs.

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As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; rebecca.hill@usace.army.mil. An electronic copy of this letter and all future correspondence pertaining to the development of the PAs will be provided electronically to Mrs. Kimberly Walden, M. Ed., Cultural Director/Tribal Historic Preservation Officer, Chitimacha Tribe of Louisiana, kswalden@chitimacha.gov.

Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

Gregory E. Pyle, Chief
Choctaw Nation of Oklahoma
P.O. Box 1210
Durant, OK 74702-1210

Dear Chief Pyle:

The United States Army Corps of Engineers, New Orleans District (CEMVN), is continuing consultation to develop Programmatic Agreements (PAs) for two studies, the Southwest Coastal Louisiana (SWC LA) study and the West Shore Lake Pontchartrain (WSLP) study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate in the consultation for the development of these two separate PAs.

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Sincerely,

Joan M. Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

Kevin Sickey, Chief
Coushatta Tribe of Louisiana
P.O. Box 818
Elton, LA 70532

Dear Chief Sickey:

The United States Army Corps of Engineers, New Orleans District (CEMVN), is continuing consultation to develop Programmatic Agreements (PAs) for two studies, the Southwest Coastal Louisiana (SWC LA) study and the West Shore Lake Pontchartrain (WSLP) study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate in the consultation for the development of these two separate PAs.

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Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

B. Cheryl Smith, Principal Chief
Jena Band of Choctaw Indians
P.O. Box 14
Jena, LA 71342

Dear Principal Chief Smith:

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As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; rebecca.hill@usace.army.mil. An electronic copy of this letter and all future correspondence pertaining to the development of the PAs will be provided electronically to Ms. Dana Masters, Tribal Historic Preservation Officer, Jena Band of Choctaw Indians, jbc.thpo106@aol.com, and Ms. Lillie McCormick, Environmental Director, Jena Band of Choctaw Indians, lmmccormickjbc@centurytel.net.

Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

Phyliss J. Anderson, Chief
Mississippi Band of Choctaw Indians
P.O. Box 6257
Choctaw, MS 39350

Dear Chief Anderson:

The United States Army Corps of Engineers, New Orleans District (CEMVN), is continuing consultation to develop Programmatic Agreements (PAs) for two studies, the Southwest Coastal Louisiana (SWC LA) study and the West Shore Lake Pontchartrain (WSLP) study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate in the consultation for the development of these two separate PAs.

The CEMVN has determined that implementation of the selected TSP for each study has the potential to cause effects on historic properties and proposes to develop two PAs to establish Section 106 consultation procedures tailored to the accelerated schedules required by the USACE SMART Feasibility Study Process. The undertakings have been summarized in previous Section 106 consultation correspondence and are detailed in the draft Integrated Feasibility Report and Programmatic Environmental Impact Statement for the SWC LA study, available electronically for review at http://www.mvn.usace.army.mil/About/Projects/SouthwestCoastal.aspx and the draft Integrated Feasibility Report and Environmental Impact Statement for the WSLP study, available electronically for review at http://www.mvn.usace.army.mil/About/Projects/WestShoreLakePontchartrain.

A teleconference has been scheduled for March 10, 2014, and the agenda and call-in information will be provided by email. We request that you inform us of your desire to participate as a consulting party in these PAs. Given the accelerated schedules, CEMVN requests that consultation for the development of the PAs utilize a combination of email and teleconferences.

As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; rebecca.hill@usace.army.mil. An electronic copy of this letter and all future correspondence pertaining to the development of the PAs will be provided electronically to Mr. Kenneth H. Carleton, Tribal Historic Preservation Officer/ Archaeologist, Mississippi Band of Choctaw Indians, kcarleton@choctaw.org.

Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

Leonard M. Harjo, Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

Dear Principal Chief Harjo:

The United States Army Corps of Engineers, New Orleans District (CEMVN), is continuing consultation to develop Programmatic Agreements (PAs) for two studies, the Southwest Coastal Louisiana (SWC LA) study and the West Shore Lake Pontchartrain (WSLP) study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate in the consultation for the development of these two separate PAs.

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Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

James Billie, Chairman
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, FL 33024

Dear Chairman Billie:

The United States Army Corps of Engineers, New Orleans District (CEMVN), is continuing consultation to develop Programmatic Agreements (PAs) for two studies, the Southwest Coastal Louisiana (SWC LA) study and the West Shore Lake Pontchartrain (WSLP) study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate in the consultation for the development of these two separate PAs.

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Sincerely,

Joan M. Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

MARCH 7, 2014

REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

Earl J. Barbry, Sr., Chairman
Tunica-Biloxi Tribe of Louisiana
P.O. Box 1589
Marksville, LA 71351

Dear Chairman Barbry:

The United States Army Corps of Engineers, New Orleans District (CEMVN), is continuing consultation to develop Programmatic Agreements (PAs) for two studies, the Southwest Coastal Louisiana (SWC LA) study and the West Shore Lake Pontchartrain (WSLP) study, in accordance with 36 CFR § 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act. We invite you to participate in the consultation for the development of these two separate PAs.

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As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; rebecca.hill@usace.army.mil. An electronic copy of this letter and all future correspondence pertaining to the development of the PAs will be provided electronically to Mr. Earl Barbry, Jr., Cultural Director, Tunica-Biloxi Tribe of Louisiana, earlii@tunica.org.

Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

Carlos Bullock, Chairman
Alabama-Coushatta Tribe of Texas
571 State Park Rd 56
Livingston, TX 77351

Dear Chairman Bullock:

The United States Army Corps of Engineers (USACE), New Orleans District (CEMVN), has prepared an Integrated Draft Feasibility Report and Environmental Impact Statement (Integrated Draft Report) for the West Shore Lake Pontchartrain (WSLP) Hurricane and Storm Damage Risk Reduction Study. The Integrated Draft Report is available electronically for review at http://www.mvn.usace.army.mil/About/Projects/WestShoreLakePontchartrain, and hard copies are available upon request.

In partial fulfillment of responsibilities under Executive Order 13175, the National Environmental Policy Act (NEPA), and Section 106 of the National Historic Preservation Act, the CEMVN offers you the opportunity to review and comment on the potential of the proposed action described in the Integrated Draft Report to significantly affect protected tribal resources, tribal rights, or Indian lands. Consultation for the proposed action was initiated in a letter dated May 3, 2013.

The Integrated Draft Report proposes potential solutions to reduce damages from hurricane and tropical storm surge for residents in St. Charles, St. John the Baptist and St. James Parishes, Louisiana. Without action, an estimated 62,900 residents and 20,000 residential structures; 1,900 non-residential structures; and 165 public and quasi-public facilities will be at risk to damage from hurricane and tropical storm surge damages.

Eleven management measures were crafted to address storm surge. Structural and nonstructural features included levees, elevating buildings, and restoring cypress swamp. Measures were combined into a dozen alternative plans. A focused array of four alternative plans was evaluated under SMART Planning. Alternatives A and C are comprised of non-structural measures and levee alignments. A third plan (Alternative D) consists of a levee and flood wall alignment. A no-action plan is the basis to compare benefits and environmental impacts.

Alternative C is the Tentatively Selected Plan (TSP). Feasibility-level design will commence after the SMART Planning Agency Decision Milestone and will finish before a Final

Report. The TSP is an 18.27-mile risk reduction system around the communities of Montz, Laplace, Reserve, and Garyville with non-structural components in St. James Parish. The alignment of the TSP is shown in Figure 3-6 of the Integrated Draft Report. The risk of storm surge damage would be reduced for over 7,000 structures and four miles of I-10 located in the system. Inclusion of this segment of I-10 would help maintain a major emergency evacuation and re-entry route for residents of southeast Louisiana, including residents in the New Orleans metropolitan area. The TSP also includes non-structural measures for 1,571 structures in the communities of Gramercy, Lutcher, and Grand Point that are located outside of the proposed levee system. It is estimated that these non-structural measures would include elevation of 1,481 structures and acquisition of 90 structures. Implementation of non-structural features will be developed in more detail during feasibility level of design and analysis during which time an economic analysis will be conducted based on economic reaches. In developing the plan, consideration with be given to community cohesion and the requirements of E.O. 12898.

The structural component of the system would consist of earthen levees, floodwalls (T-walls), floodgates, drainage structures, and pump stations located along the alignment. The preliminary level of design, based on modeling for a 1 percent AEP storm event includes levee elevations that would range from +13.5 NAVD88 on the eastern reaches near the Bonnet Carré Spillway to +7.0 NAVD88 in the western portion of the project area. They would be constructed with 3:1 side slopes with a 10-foot crown width. Construction of levees would involve the placement of 3,100,000 cubic yards of compacted and uncompacted clay (borrow) material on top of 3,400,000 square yards of geotextile fabric. Approximately 26,124 cubic yards of aggregate limestone would be used to build a road on the levee crown. A conveyance canal at a depth of - 10 ft. NAVD88 would be situated along the levee. Floodwalls would be located under the I-10/I- 55 interchange and other areas where space is limited. Nine floodwall sections would span 5,304 linear feet over the length of the system. The system would include 2,080 feet of drainage gates, 288 feet of roadway gates, two railway gates, and thirty-six pipeline crossings. Four pump stations would be located along the alignment to ensure the project does not adversely impact local drainage. Design parameters will be further refined during feasibility level design and analysis which may result in changes to the design parameters; however, the TSP is anticipated to reduce risk for at minimum a 1 percent AEP storm event but not exceed a 0.5 percent AEP storm event.

The TSP would maintain hydrologic connectivity to the extent practicable through the use of water control structures except during closure for hurricane and tropical storm surge events. When the system is closed, pumps would operate on average for 1.7 storm events per year, which equates to closure of structures on average 8.5 days per year. The structural alignment would directly convert approximately 856 acres to uplands including approximately 775 acres of hydric soils, 14.8 acres of water bottoms, and 55.4 acres of prime farmlands. Approximately 8,424 acres of wetlands could be indirectly impacted due to enclosing the project area within the levee system. Further investigation is required to determine if cultural resources are located

within any part of the footprint. Additional environmental investigations will be performed during feasibility-level design and analysis. The estimated cost of the TSP is $880,851,070. The BCR for the TSP is equal to 1.63 to 1 with annualized net benefits equal to approximately $23,000,000.

Section 106 Consultation

Formal Section 106 consultation pursuant to 36 CFR § 800.3(c) has been initiated with the Louisiana State Historic Preservation Officer (SHPO) and eleven federally-recognized Tribes with an interest in USACE undertakings within the boundaries of CEMVN. The Choctaw Nation of Oklahoma has requested additional information regarding the undertaking, and the CEMVN will continue consultation with the SHPO and federally-recognized Tribes. With selection of the TSP as presented in the Integrated Draft Report, the CEMVN will now proceed with the identification and evaluation of historic properties, the results of which will be coordinated with the SHPO and federally-recognized Tribes in a continuation of Section 106 consultation.

Integrated Draft Report

Finally, I would like to offer my apologies for an oversight resulting in an error on page 7-2 of the Integrated Draft Report. You may note that both federally-recognized Tribes and non-federally- recognized tribes are included in Table 7.1: List of report recipients, and that the Mississippi Band of Choctaw Indians was inadvertently omitted. No disrespect was intended, and actions have already been taken to ensure that this is corrected for the final report.

This is the first CEMVN study within the USACE SMART Planning framework, which organizes the planning process for feasibility studies around key decision points. Over the next few months a public comment period will be conducted along with technical, peer and policy reviews. Additional feasibility work remains to be completed on engineering, cost estimating, environmental, economic, real estate and construction elements of the plan. Results of the reviews and additional feasibility work will be incorporated into the final report, which will be made available for review before the Chief of Engineers makes a final recommendation on the project.

Please review the Integrated Draft Report and provide comments. The official closing date for receipt of comments will be 45 days from the date on which the Notice of Availability of the Draft EIS appears in the Federal Register. Please send comments or questions on the Draft Integrated Report the U.S. Army Corps of Engineers, New Orleans District, Attention: Dr. William P. Klein, Jr., P.O. Box 60267, New Orleans, Louisiana 70160-0267. Telephone: (504) 862-2540; FAX: (504) 862-2088. Comments may also be provided electronically to the study web site at http://www.mvn.usace.army.mil/About/Projects/WestShoreLakePontchartrain.

As always, should you have any questions or concerns about the proposed action or the SMART Planning framework, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; Rebecca.Hill@usace.army.mil. You may also contact the project archaeologist Dr. Paul Hughbanks with any questions or comments at (504) 862-1100 or Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter will be provided to Mr. Bryant J. Celestine, Historic Preservation Officer, Alabama Coushatta Tribe of Texas, celestine.bryant@actribe.org.

Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

Brenda Shemayme Edwards, Chairwoman
Caddo Nation of Oklahoma
P.O. Box 487
Binger, OK 73009

Dear Chairwoman Edwards:

The United States Army Corps of Engineers (USACE), New Orleans District (CEMVN), has prepared an Integrated Draft Feasibility Report and Environmental Impact Statement (Integrated Draft Report) for the West Shore Lake Pontchartrain (WSLP) Hurricane and Storm Damage Risk Reduction Study. The Integrated Draft Report is available electronically for review at http://www.mvn.usace.army.mil/About/Projects/WestShoreLakePontchartrain, and hard copies are available upon request.

In partial fulfillment of responsibilities under Executive Order 13175, the National Environmental Policy Act (NEPA), and Section 106 of the National Historic Preservation Act, the CEMVN offers you the opportunity to review and comment on the potential of the proposed action described in the Integrated Draft Report to significantly affect protected tribal resources, tribal rights, or Indian lands. Consultation for the proposed action was initiated in a letter dated May 3, 2013.

The Integrated Draft Report proposes potential solutions to reduce damages from hurricane and tropical storm surge for residents in St. Charles, St. John the Baptist and St. James Parishes, Louisiana. Without action, an estimated 62,900 residents and 20,000 residential structures; 1,900 non-residential structures; and 165 public and quasi-public facilities will be at risk to damage from hurricane and tropical storm surge damages.

Eleven management measures were crafted to address storm surge. Structural and nonstructural features included levees, elevating buildings, and restoring cypress swamp. Measures were combined into a dozen alternative plans. A focused array of four alternative plans was evaluated under SMART Planning. Alternatives A and C are comprised of non-structural measures and levee alignments. A third plan (Alternative D) consists of a levee and flood wall alignment. A no-action plan is the basis to compare benefits and environmental impacts.

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Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

John Paul Darden, Chairman
Chitimacha Tribe of Louisiana
P.O. Box 661
Charenton, LA 70523

Dear Chairman Darden:

The United States Army Corps of Engineers (USACE), New Orleans District (CEMVN), has prepared an Integrated Draft Feasibility Report and Environmental Impact Statement (Integrated Draft Report) for the West Shore Lake Pontchartrain (WSLP) Hurricane and Storm Damage Risk Reduction Study. The Integrated Draft Report is available electronically for review at http://www.mvn.usace.army.mil/About/Projects/WestShoreLakePontchartrain, and hard copies are available upon request.

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Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

Gregory E. Pyle, Chief
Choctaw Nation of Oklahoma
P.O. Box 1210
Durant, OK 74702-1210

Dear Chief Pyle:

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Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

Kevin Sickey, Chief
Coushatta Tribe of Louisiana
P.O. Box 818
Elton, LA 70532

Dear Chief Sickey:

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Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

B. Cheryl Smith, Principal Chief
Jena Band of Choctaw Indians
P.O. Box 14
Jena, LA 71342

Dear Principal Chief Smith:

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Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

Phyliss J. Anderson, Chief
Mississippi Band of Choctaw Indians
P.O. Box 6257
Choctaw, MS 39350

Dear Chief Anderson:

The United States Army Corps of Engineers (USACE), New Orleans District (CEMVN), has prepared an Integrated Draft Feasibility Report and Environmental Impact Statement (Integrated Draft Report) for the West Shore Lake Pontchartrain (WSLP) Hurricane and Storm Damage Risk Reduction Study. The Integrated Draft Report is available electronically for review at http://www.mvn.usace.army.mil/About/Projects/WestShoreLakePontchartrain, and hard copies are available upon request.

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Sincerely,

Joan M. Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

John Berrey, Chairman
Quapaw Tribe of Oklahoma
P.O. Box 765
Quapaw, OK 74363

Dear Chairman Berrey:

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Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

Leonard M. Harjo, Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

Dear Principal Chief Harjo:

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Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

James Billie, Chairman
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, FL 33024

Dear Chairman Billie:

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As always, should you have any questions or concerns about the proposed action or the SMART Planning framework, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; Rebecca.Hill@usace.army.mil. You may also contact the project archaeologist Dr. Paul Hughbanks with any questions or comments at (504) 862-1100 or Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter will be provided to Mr. Paul N. Backhouse, Tribal Historic Preservation Officer, Seminole Tribe of Florida, paulbackhouse@semtribe.com; Ms. Anne Mullins, Deputy Tribal Historic Preservation Officer, annemullins@semtribe.com; Mr. Bradley Mueller, Compliance Review Supervisor, bradleymueller@semtribe.com; and Ms. Alison Swing, Compliance Review Data Analyst, alisonswing@semtribe.com.

Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

AUGUST 23, 2013

REPLY TO ATTENTION OF

Regional Planning and
Environment Division, South

Earl J. Barbry, Sr., Chairman
Tunica-Biloxi Tribe of Louisiana
P.O. Box 1589
Marksville, LA 71351

Dear Chairman Barbry:

The United States Army Corps of Engineers (USACE), New Orleans District (CEMVN), has prepared an Integrated Draft Feasibility Report and Environmental Impact Statement (Integrated Draft Report) for the West Shore Lake Pontchartrain (WSLP) Hurricane and Storm Damage Risk Reduction Study. The Integrated Draft Report is available electronically for review at http://www.mvn.usace.army.mil/About/Projects/WestShoreLakePontchartrain, and hard copies are available upon request.

In partial fulfillment of responsibilities under Executive Order 13175, the National Environmental Policy Act (NEPA), and Section 106 of the National Historic Preservation Act, the CEMVN offers you the opportunity to review and comment on the potential of the proposed action described in the Integrated Draft Report to significantly affect protected tribal resources, tribal rights, or Indian lands. Consultation for the proposed action was initiated in a letter dated May 3, 2013.

The Integrated Draft Report proposes potential solutions to reduce damages from hurricane and tropical storm surge for residents in St. Charles, St. John the Baptist and St. James Parishes, Louisiana. Without action, an estimated 62,900 residents and 20,000 residential structures; 1,900 non-residential structures; and 165 public and quasi-public facilities will be at risk to damage from hurricane and tropical storm surge damages.

Eleven management measures were crafted to address storm surge. Structural and nonstructural features included levees, elevating buildings, and restoring cypress swamp. Measures were combined into a dozen alternative plans. A focused array of four alternative plans was evaluated under SMART Planning. Alternatives A and C are comprised of non-structural measures and levee alignments. A third plan (Alternative D) consists of a levee and flood wall alignment. A no-action plan is the basis to compare benefits and environmental impacts.

Alternative C is the Tentatively Selected Plan (TSP). Feasibility-level design will commence after the SMART Planning Agency Decision Milestone and will finish before a Final

Report. The TSP is an 18.27-mile risk reduction system around the communities of Montz, Laplace, Reserve, and Garyville with non-structural components in St. James Parish. The alignment of the TSP is shown in Figure 3-6 of the Integrated Draft Report. The risk of storm surge damage would be reduced for over 7,000 structures and four miles of I-10 located in the system. Inclusion of this segment of I-10 would help maintain a major emergency evacuation and re-entry route for residents of southeast Louisiana, including residents in the New Orleans metropolitan area. The TSP also includes non-structural measures for 1,571 structures in the communities of Gramercy, Lutcher, and Grand Point that are located outside of the proposed levee system. It is estimated that these non-structural measures would include elevation of 1,481 structures and acquisition of 90 structures. Implementation of non-structural features will be developed in more detail during feasibility level of design and analysis during which time an economic analysis will be conducted based on economic reaches. In developing the plan, consideration with be given to community cohesion and the requirements of E.O. 12898.

The structural component of the system would consist of earthen levees, floodwalls (T-walls), floodgates, drainage structures, and pump stations located along the alignment. The preliminary level of design, based on modeling for a 1 percent AEP storm event includes levee elevations that would range from +13.5 NAVD88 on the eastern reaches near the Bonnet Carré Spillway to +7.0 NAVD88 in the western portion of the project area. They would be constructed with 3:1 side slopes with a 10-foot crown width. Construction of levees would involve the placement of 3,100,000 cubic yards of compacted and uncompacted clay (borrow) material on top of 3,400,000 square yards of geotextile fabric. Approximately 26,124 cubic yards of aggregate limestone would be used to build a road on the levee crown. A conveyance canal at a depth of - 10 ft. NAVD88 would be situated along the levee. Floodwalls would be located under the I-10/I- 55 interchange and other areas where space is limited. Nine floodwall sections would span 5,304 linear feet over the length of the system. The system would include 2,080 feet of drainage gates, 288 feet of roadway gates, two railway gates, and thirty-six pipeline crossings. Four pump stations would be located along the alignment to ensure the project does not adversely impact local drainage. Design parameters will be further refined during feasibility level design and analysis which may result in changes to the design parameters; however, the TSP is anticipated to reduce risk for at minimum a 1 percent AEP storm event but not exceed a 0.5 percent AEP storm event.

The TSP would maintain hydrologic connectivity to the extent practicable through the use of water control structures except during closure for hurricane and tropical storm surge events. When the system is closed, pumps would operate on average for 1.7 storm events per year, which equates to closure of structures on average 8.5 days per year. The structural alignment would directly convert approximately 856 acres to uplands including approximately 775 acres of hydric soils, 14.8 acres of water bottoms, and 55.4 acres of prime farmlands. Approximately 8,424 acres of wetlands could be indirectly impacted due to enclosing the project area within the levee system. Further investigation is required to determine if cultural resources are located

within any part of the footprint. Additional environmental investigations will be performed during feasibility-level design and analysis. The estimated cost of the TSP is $880,851,070. The BCR for the TSP is equal to 1.63 to 1 with annualized net benefits equal to approximately $23,000,000.

Section 106 Consultation

Formal Section 106 consultation pursuant to 36 CFR § 800.3(c) has been initiated with the Louisiana State Historic Preservation Officer (SHPO) and eleven federally-recognized Tribes with an interest in USACE undertakings within the boundaries of CEMVN. The Choctaw Nation of Oklahoma has requested additional information regarding the undertaking, and the CEMVN will continue consultation with the SHPO and federally-recognized Tribes. With selection of the TSP as presented in the Integrated Draft Report, the CEMVN will now proceed with the identification and evaluation of historic properties, the results of which will be coordinated with the SHPO and federally-recognized Tribes in a continuation of Section 106 consultation.

Integrated Draft Report

Finally, I would like to offer my apologies for an oversight resulting in an error on page 7-2 of the Integrated Draft Report. You may note that both federally-recognized Tribes and non-federally- recognized tribes are included in Table 7.1: List of report recipients, and that the Mississippi Band of Choctaw Indians was inadvertently omitted. No disrespect was intended, and actions have already been taken to ensure that this is corrected for the final report.

This is the first CEMVN study within the USACE SMART Planning framework, which organizes the planning process for feasibility studies around key decision points. Over the next few months a public comment period will be conducted along with technical, peer and policy reviews. Additional feasibility work remains to be completed on engineering, cost estimating, environmental, economic, real estate and construction elements of the plan. Results of the reviews and additional feasibility work will be incorporated into the final report, which will be made available for review before the Chief of Engineers makes a final recommendation on the project.

Please review the Integrated Draft Report and provide comments. The official closing date for receipt of comments will be 45 days from the date on which the Notice of Availability of the Draft EIS appears in the Federal Register. Please send comments or questions on the Draft Integrated Report the U.S. Army Corps of Engineers, New Orleans District, Attention: Dr. William P. Klein, Jr., P.O. Box 60267, New Orleans, Louisiana 70160-0267. Telephone: (504) 862-2540; FAX: (504) 862-2088. Comments may also be provided electronically to the study web site at http://www.mvn.usace.army.mil/About/Projects/WestShoreLakePontchartrain.

As always, should you have any questions or concerns about the proposed action or the SMART Planning framework, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; Rebecca.Hill@usace.army.mil. You may also contact the project archaeologist Dr. Paul Hughbanks with any questions or comments at (504) 862-1100 or Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter will be provided to Mr. Earl Barbry, Jr., Cultural Director, Tunica-Biloxi Tribe of Louisiana, earlii@tunica.org.

Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

Carlos Bullock, Chairman
Alabama-Coushatta Tribe of Texas
571 State Park Rd 56
Livingston, TX 77351

Dear Chairman Bullock:

The United States Army Corps of Engineers (USACE) and the Pontchartrain Levee District (PLD) have initiated an investigation into the feasibility of providing hurricane and storm damage risk reduction to residents living in the area west of the Bonnet Carré Spillway between the Mississippi River and Lakes Pontchartrain and Maurepas and the St. James Parish line. The New Orleans District (CEMVN) is preparing a West Shore-Lake Pontchartrain (WSLP) Integrated Feasibility Study/Environmental Impact Statement (Integrated Report), which will describe all aspects of the WSLP Louisiana Hurricane and Storm Damage Risk Reduction (HSDRR) study, from its inception, through the evolution of the various alternatives, the discussion of potential impacts to all applicable natural, socioeconomic and cultural resources, to the decision to recommend a preferred alternative.

The purpose of this letter is to initiate consultation for the WSLP LA HSDRR study, in partial fulfillment of responsibilities under Executive Order 13175, the National Environmental Policy Act, and Section 106 of the National Historic Preservation Act. The CEMVN offers you the opportunity to review and comment on the potential of the proposed action to significantly affect protected tribal resources, tribal rights, or Indian lands.

Study Authority and History of Investigation

The WSLP LA HSDRR study was initiated by two authorizations, one by the House of Representatives in 1971 and another by the Senate in 1974. Several formulations and reports have been accomplished since the original authorizations. In 1996 Congress authorized funding for a general investigation into hurricane and flood protection in St. James, St. John the Baptist, and St. Charles parishes in the area west of the Bonne Carré Spillway as part of the Lake Pontchartrain and Vicinity, Louisiana Authority. Subsequently, a feasibility study was initiated and the preliminary findings were presented to the PLD and St. John Parish in 1998. One of the eight alignments from the preliminary findings and an additional alignment presented by the PLD were chosen for further investigation and in 2003, the USACE presented alignment and

cost options to the PLD and St. John the Baptist Parish for these two alternatives. No consensus could be reached on which alignment to pursue and the study was halted. In 2006, the PLD developed a third alignment for consideration by the USACE and St. John the Baptist Parish. A preliminary screening level analysis was completed in 2007, and the PLD and the USACE agreed to re-initiate the feasibility study and an EIS.

Study Area

The WSLP LA HSDRR study area is located in St. Charles, St. John the Baptist and St. James parishes, Louisiana (see enclosed Figure 1). The study area is bounded on the east by the west guide levee of the Bonnet Carré Spillway, on the north by Lake Pontchartrain and Lake Maurepas, on the west by the St. James Parish line and on the south by the Mississippi River. The study area includes residential, commercial, industrial and undeveloped land. The southern portion of the study contains the communities of LaPlace, Reserve, Garyville, Gramercy, Lutcher and Convent. Most of the northern portion is occupied by the Maurepas Swamp Wildlife Management Area and includes sections of Interstate Highway 10 (I-10) and I-55.

Proposed Alignments

Thirty-two alignments were identified and screened based on objectives and constraints and local conditions, including pipeline avoidance and storage and infrastructure concerns, reducing the number of alignments to twelve. These twelve alignments were ranked based on their ability to meet the study objectives and avoid constraints, and the top four alignments that met evaluation criteria were carried forward for evaluation. An additional non-structural alternative was developed.

The final array of alternatives include the No Action Alternative; Alternative A: Spillway to Hope Canal/Mississippi River and Non-Structural Alternative; Alternative C: Spillway to Hope Canal/MS River (Pipeline Avoidance) and Non-Structural Alternative; Alternative D: Spillway to Ascension Parish (I-10 Protection) without Non-Structural Alternative; and Alternative E: Non-Structural Alternative (see enclosed Figure 2).

Section 106 Consultation

This letter initiates formal Section 106 consultation pursuant to 36 CFR § 800.3(c). The majority of the authorized study area is within the Maurepas Swamp, although the study area also contains natural levee of the Mississippi River. Upon selection of the tentatively selected plan and the identification of historic properties, in accordance with 36 CFR § 800.4, the CEMVN will continue Section 106 consultation. Also enclosed is a copy of the 3 May 2013 CEMVN letter to the Louisiana State Historic Preservation Officer.

Your response to this letter, including any information your office may wish to provide at this time concerning the proposed undertaking and its potential to significantly affect protected tribal resources, tribal rights, or Indian lands is greatly appreciated. Please also notify us of any other interested party who may wish to participate in this consultation.

As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; Rebecca.Hill@usace.army.mil. You may also contact the project archaeologist Dr. Paul Hughbanks with any questions or comments at (504) 862-1100 or Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter with enclosures will be provided to Mr. Bryant J. Celestine, Historic Preservation Officer, Alabama Coushatta Tribe of Texas, celestine.bryant@actribe.org.

Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

Brenda Shemayme Edwards, Chairwoman
Caddo Nation of Oklahoma
P.O. Box 487
Binger, OK 73009

Dear Chairwoman Edwards:

The United States Army Corps of Engineers (USACE) and the Pontchartrain Levee District (PLD) have initiated an investigation into the feasibility of providing hurricane and storm damage risk reduction to residents living in the area west of the Bonnet Carré Spillway between the Mississippi River and Lakes Pontchartrain and Maurepas and the St. James Parish line. The New Orleans District (CEMVN) is preparing a West Shore-Lake Pontchartrain (WSLP) Integrated Feasibility Study/Environmental Impact Statement (Integrated Report), which will describe all aspects of the WSLP Louisiana Hurricane and Storm Damage Risk Reduction (HSDRR) study, from its inception, through the evolution of the various alternatives, the discussion of potential impacts to all applicable natural, socioeconomic and cultural resources, to the decision to recommend a preferred alternative.

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Proposed Alignments

Thirty-two alignments were identified and screened based on objectives and constraints and local conditions, including pipeline avoidance and storage and infrastructure concerns, reducing the number of alignments to twelve. These twelve alignments were ranked based on their ability to meet the study objectives and avoid constraints, and the top four alignments that met evaluation criteria were carried forward for evaluation. An additional non-structural alternative was developed.

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Section 106 Consultation

This letter initiates formal Section 106 consultation pursuant to 36 CFR § 800.3(c). The majority of the authorized study area is within the Maurepas Swamp, although the study area also contains natural levee of the Mississippi River. Upon selection of the tentatively selected plan and the identification of historic properties, in accordance with 36 CFR § 800.4, the CEMVN will continue Section 106 consultation. Also enclosed is a copy of the 3 May 2013 CEMVN letter to the Louisiana State Historic Preservation Officer.

Your response to this letter, including any information your office may wish to provide at this time concerning the proposed undertaking and its potential to significantly affect protected tribal resources, tribal rights, or Indian lands is greatly appreciated. Please also notify us of any other interested party who may wish to participate in this consultation.

As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; Rebecca.Hill@usace.army.mil. You may also contact the project archaeologist Dr. Paul Hughbanks with any questions or comments at (504) 862-1100 or Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter with enclosures will be provided to Mr. Robert Cast, Tribal Historic Preservation Officer, Caddo Nation of Oklahoma, rcast@caddonation.org.

Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

John Paul Darden, Chairman
Chitimacha Tribe of Louisiana
P.O. Box 661
Charenton, LA 70523

Dear Chairman Darden:

The United States Army Corps of Engineers (USACE) and the Pontchartrain Levee District (PLD) have initiated an investigation into the feasibility of providing hurricane and storm damage risk reduction to residents living in the area west of the Bonnet Carré Spillway between the Mississippi River and Lakes Pontchartrain and Maurepas and the St. James Parish line. The New Orleans District (CEMVN) is preparing a West Shore-Lake Pontchartrain (WSLP) Integrated Feasibility Study/Environmental Impact Statement (Integrated Report), which will describe all aspects of the WSLP Louisiana Hurricane and Storm Damage Risk Reduction (HSDRR) study, from its inception, through the evolution of the various alternatives, the discussion of potential impacts to all applicable natural, socioeconomic and cultural resources, to the decision to recommend a preferred alternative.

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Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

Gregory E. Pyle, Chief
Choctaw Nation of Oklahoma
P.O. Box 1210
Durant, OK 74702-1210

Dear Chief Pyle:

The United States Army Corps of Engineers (USACE) and the Pontchartrain Levee District (PLD) have initiated an investigation into the feasibility of providing hurricane and storm damage risk reduction to residents living in the area west of the Bonnet Carré Spillway between the Mississippi River and Lakes Pontchartrain and Maurepas and the St. James Parish line. The New Orleans District (CEMVN) is preparing a West Shore-Lake Pontchartrain (WSLP) Integrated Feasibility Study/Environmental Impact Statement (Integrated Report), which will describe all aspects of the WSLP Louisiana Hurricane and Storm Damage Risk Reduction (HSDRR) study, from its inception, through the evolution of the various alternatives, the discussion of potential impacts to all applicable natural, socioeconomic and cultural resources, to the decision to recommend a preferred alternative.

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Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

Kevin Sickey, Chief
Coushatta Tribe of Louisiana
P.O. Box 818
Elton, LA 70532

Dear Chief Sickey:

The United States Army Corps of Engineers (USACE) and the Pontchartrain Levee District (PLD) have initiated an investigation into the feasibility of providing hurricane and storm damage risk reduction to residents living in the area west of the Bonnet Carré Spillway between the Mississippi River and Lakes Pontchartrain and Maurepas and the St. James Parish line. The New Orleans District (CEMVN) is preparing a West Shore-Lake Pontchartrain (WSLP) Integrated Feasibility Study/Environmental Impact Statement (Integrated Report), which will describe all aspects of the WSLP Louisiana Hurricane and Storm Damage Risk Reduction (HSDRR) study, from its inception, through the evolution of the various alternatives, the discussion of potential impacts to all applicable natural, socioeconomic and cultural resources, to the decision to recommend a preferred alternative.

The purpose of this letter is to initiate consultation for the WSLP LA HSDRR study, in partial fulfillment of responsibilities under Executive Order 13175, the National Environmental Policy Act, and Section 106 of the National Historic Preservation Act. The CEMVN offers you the opportunity to review and comment on the potential of the proposed action to significantly affect protected tribal resources, tribal rights, or Indian lands.

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As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; Rebecca.Hill@usace.army.mil. You may also contact the project archaeologist Dr. Paul Hughbanks with any questions or comments at (504) 862-1100 or Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter with enclosures will be provided to Dr. Linda Langley, Tribal Historic Preservation Officer, Coushatta Tribe of Louisiana, llangley@mcneese.edu, and Mr. Michael Tarpley, Deputy Tribal Historic Preservation Officer, Coushatta Tribe of Louisiana, kokua.aina57@gmail.com.

Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

B. Cheryl Smith, Principal Chief
Jena Band of Choctaw Indians
P.O. Box 14
Jena, LA 71342

Dear Principal Chief Smith:

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Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

Phyliss J. Anderson, Chief
Mississippi Band of Choctaw Indians
P.O. Box 6257
Choctaw, MS 39350

Dear Chief Anderson:

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Sincerely,

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Chief, Environmental Planning Branch

Enclosures

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

John Berrey, Chairman
Quapaw Tribe of Oklahoma
P.O. Box 765
Quapaw, OK 74363

Dear Chairman Berrey:

The United States Army Corps of Engineers (USACE) and the Pontchartrain Levee District (PLD) have initiated an investigation into the feasibility of providing hurricane and storm damage risk reduction to residents living in the area west of the Bonnet Carré Spillway between the Mississippi River and Lakes Pontchartrain and Maurepas and the St. James Parish line. The New Orleans District (CEMVN) is preparing a West Shore-Lake Pontchartrain (WSLP) Integrated Feasibility Study/Environmental Impact Statement (Integrated Report), which will describe all aspects of the WSLP Louisiana Hurricane and Storm Damage Risk Reduction (HSDRR) study, from its inception, through the evolution of the various alternatives, the discussion of potential impacts to all applicable natural, socioeconomic and cultural resources, to the decision to recommend a preferred alternative.

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Chief, Environmental Planning Branch

Enclosures

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DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

Leonard M. Harjo, Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

Dear Principal Chief Harjo:

The United States Army Corps of Engineers (USACE) and the Pontchartrain Levee District (PLD) have initiated an investigation into the feasibility of providing hurricane and storm damage risk reduction to residents living in the area west of the Bonnet Carré Spillway between the Mississippi River and Lakes Pontchartrain and Maurepas and the St. James Parish line. The New Orleans District (CEMVN) is preparing a West Shore-Lake Pontchartrain (WSLP) Integrated Feasibility Study/Environmental Impact Statement (Integrated Report), which will describe all aspects of the WSLP Louisiana Hurricane and Storm Damage Risk Reduction (HSDRR) study, from its inception, through the evolution of the various alternatives, the discussion of potential impacts to all applicable natural, socioeconomic and cultural resources, to the decision to recommend a preferred alternative.

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NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
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May 3, 2013

Regional Planning and
Environment Division, South

James Billie, Chairman
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, FL 33024

Dear Chairman Billie:

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As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; Rebecca.Hill@usace.army.mil. You may also contact the project archaeologist Dr. Paul Hughbanks with any questions or comments at (504) 862-1100 or Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter with enclosures will be provided to Mr. Paul N. Backhouse, Tribal Historic Preservation Officer, Seminole Tribe of Florida, paulbackhouse@semtribe.com; Ms. Anne Mullins, Deputy Tribal Historic Preservation Officer, annemullins@semtribe.com; Mr. Bradley Mueller, Compliance Review Supervisor, bradleymueller@semtribe.com; Mr. Elliott York, Compliance Review and Data Analyst, elliottyork@semtribe.com; and Ms. Alison Swing, Compliance Review Data Analyst, alisonswing@semtribe.com.

Sincerely,

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

May 3, 2013

Regional Planning and
Environment Division, South

Earl J. Barbry, Sr., Chairman
Tunica-Biloxi Tribe of Louisiana
P.O. Box 1589
Marksville, LA 71351

Dear Chairman Barbry:

The United States Army Corps of Engineers (USACE) and the Pontchartrain Levee District (PLD) have initiated an investigation into the feasibility of providing hurricane and storm damage risk reduction to residents living in the area west of the Bonnet Carré Spillway between the Mississippi River and Lakes Pontchartrain and Maurepas and the St. James Parish line. The New Orleans District (CEMVN) is preparing a West Shore-Lake Pontchartrain (WSLP) Integrated Feasibility Study/Environmental Impact Statement (Integrated Report), which will describe all aspects of the WSLP Louisiana Hurricane and Storm Damage Risk Reduction (HSDRR) study, from its inception, through the evolution of the various alternatives, the discussion of potential impacts to all applicable natural, socioeconomic and cultural resources, to the decision to recommend a preferred alternative.

The purpose of this letter is to initiate consultation for the WSLP LA HSDRR study, in partial fulfillment of responsibilities under Executive Order 13175, the National Environmental Policy Act, and Section 106 of the National Historic Preservation Act. The CEMVN offers you the opportunity to review and comment on the potential of the proposed action to significantly affect protected tribal resources, tribal rights, or Indian lands.

Study Authority and History of Investigation

The WSLP LA HSDRR study was initiated by two authorizations, one by the House of Representatives in 1971 and another by the Senate in 1974. Several formulations and reports have been accomplished since the original authorizations. In 1996 Congress authorized funding for a general investigation into hurricane and flood protection in St. James, St. John the Baptist, and St. Charles parishes in the area west of the Bonne Carré Spillway as part of the Lake Pontchartrain and Vicinity, Louisiana Authority. Subsequently, a feasibility study was initiated and the preliminary findings were presented to the PLD and St. John Parish in 1998. One of the eight alignments from the preliminary findings and an additional alignment presented by the PLD were chosen for further investigation and in 2003, the USACE presented alignment and

cost options to the PLD and St. John the Baptist Parish for these two alternatives. No consensus could be reached on which alignment to pursue and the study was halted. In 2006, the PLD developed a third alignment for consideration by the USACE and St. John the Baptist Parish. A preliminary screening level analysis was completed in 2007, and the PLD and the USACE agreed to re-initiate the feasibility study and an EIS.

Study Area

The WSLP LA HSDRR study area is located in St. Charles, St. John the Baptist and St. James parishes, Louisiana (see enclosed Figure 1). The study area is bounded on the east by the west guide levee of the Bonnet Carré Spillway, on the north by Lake Pontchartrain and Lake Maurepas, on the west by the St. James Parish line and on the south by the Mississippi River. The study area includes residential, commercial, industrial and undeveloped land. The southern portion of the study contains the communities of LaPlace, Reserve, Garyville, Gramercy, Lutcher and Convent. Most of the northern portion is occupied by the Maurepas Swamp Wildlife Management Area and includes sections of Interstate Highway 10 (I-10) and I-55.

Proposed Alignments

Thirty-two alignments were identified and screened based on objectives and constraints and local conditions, including pipeline avoidance and storage and infrastructure concerns, reducing the number of alignments to twelve. These twelve alignments were ranked based on their ability to meet the study objectives and avoid constraints, and the top four alignments that met evaluation criteria were carried forward for evaluation. An additional non-structural alternative was developed.

The final array of alternatives include the No Action Alternative; Alternative A: Spillway to Hope Canal/Mississippi River and Non-Structural Alternative; Alternative C: Spillway to Hope Canal/MS River (Pipeline Avoidance) and Non-Structural Alternative; Alternative D: Spillway to Ascension Parish (I-10 Protection) without Non-Structural Alternative; and Alternative E: Non-Structural Alternative (see enclosed Figure 2).

Section 106 Consultation

This letter initiates formal Section 106 consultation pursuant to 36 CFR § 800.3(c). The majority of the authorized study area is within the Maurepas Swamp, although the study area also contains natural levee of the Mississippi River. Upon selection of the tentatively selected plan and the identification of historic properties, in accordance with 36 CFR § 800.4, the CEMVN will continue Section 106 consultation. Also enclosed is a copy of the 3 May 2013 CEMVN letter to the Louisiana State Historic Preservation Officer.

Your response to this letter, including any information your office may wish to provide at this time concerning the proposed undertaking and its potential to significantly affect protected tribal resources, tribal rights, or Indian lands is greatly appreciated. Please also notify us of any other interested party who may wish to participate in this consultation.

As always, should you have any questions or concerns about the proposed action, you may contact Ms. Rebecca Hill; Archeologist/Tribal Liaison; U.S. Army Corps of Engineers, New Orleans District; (504) 862-1474; Rebecca.Hill@usace.army.mil. You may also contact the project archaeologist Dr. Paul Hughbanks with any questions or comments at (504) 862-1100 or Paul.J.Hughbanks@usace.army.mil. An electronic copy of this letter with enclosures will be provided to Mr. Earl Barbry, Jr., Cultural Director, Tunica-Biloxi Tribe of Louisiana, earlii@tunica.org.

Sincerely,

Joan M Exnicios

Joan M. Exnicios
Chief, Environmental Planning Branch

Enclosures

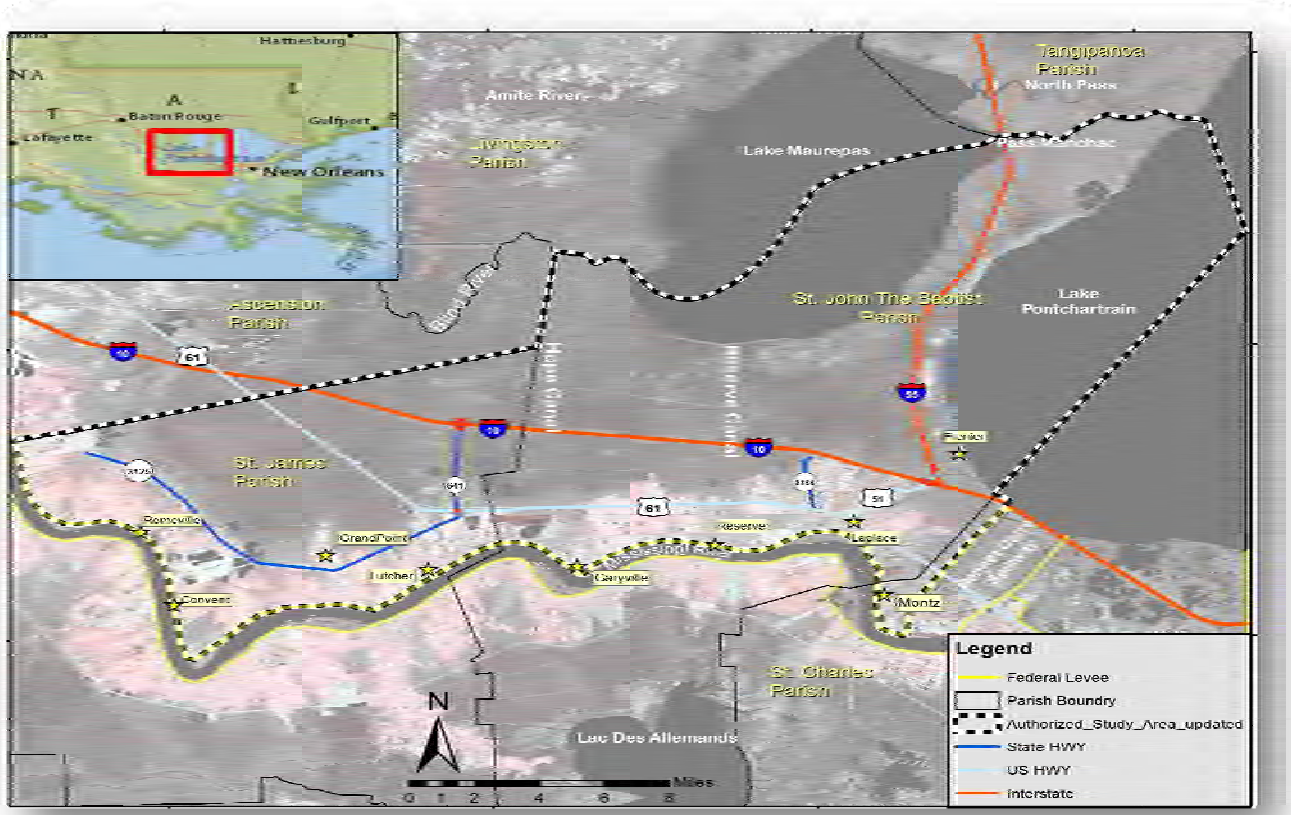

Figure 1. West Shore-Lake Pontchartrain Louisiana Hurricane and Storm Damage Risk Reduction Study Area.

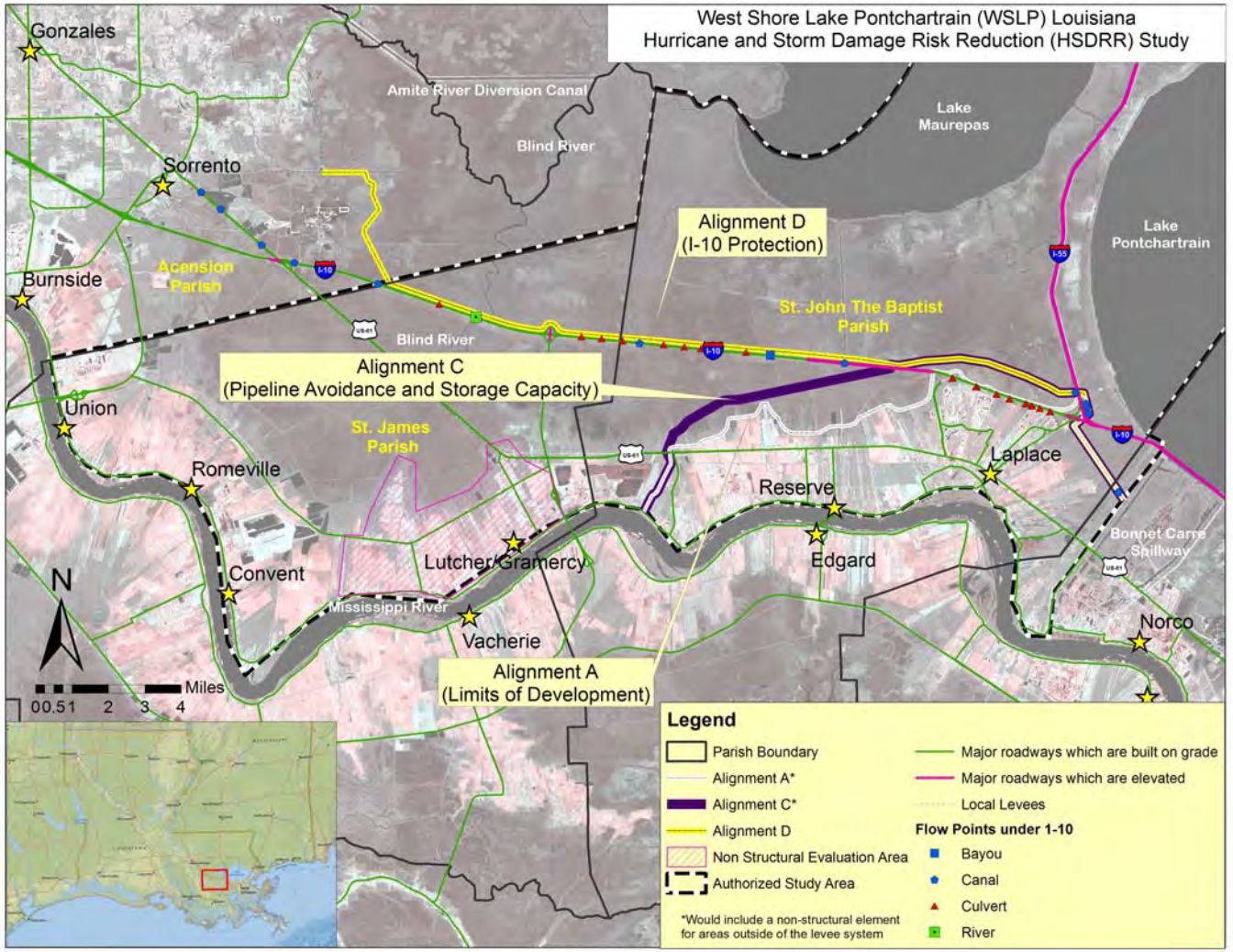

Figure 2. West Shore-Lake Pontchartrain Louisiana Hurricane and Storm Damage Risk Reduction Study Final Array of Alternatives.

Appendix D: Representative species tables

Annex A: Representative bird species

Common Name	Scientific Name	Common Name	Scientific Name
Little blue heron	*Egretta caerulea*	Northern harrier	*Circus hudsonius*
Great blue heron	*Ardea herodias*	Sedge wren	*Cistothorus stellaris*
Green-backed heron	*Butorides virescens*	Greater yellowlegs	*Tringa melanoleuca*
Yellow-crowned night heron	*Nyctanassa violacea*	Eastern screech owl	*Megascops asio*
Black-crowned night heron	*Nycticorax nycticorax*	Mississippi kite	*Ictinia mississippiensis*
Great egret	*Ardea alba*	Red-tailed hawk	*Buteo jamaicensis*
Snowy egret	*Egretta thula*	Red-bellied woodpecker	*Melanerpes carolinus*
Cattle egret	*Bubulcus ibis*	Pileated woodpecker	*Dryocopus pileatus*
Reddish egret	*Egretta rufescens*	Barred Owl	*Strix varia*
Tricolor Heron	*Egretta tricolor*	Turkey Vulture	*Cathartes aura*
White ibis	*Eudocimus albus*	House Wren	*Troglodytes aedon*
Roseate spoonbill	*Platalea ajaja*	Prothonotary Warbler	*Protonotaria citrea*
White-faced ibis	*Plegadis chihi*	Wood duck	*Aix sponsa*
Killdeer	*Charadrius vociferus*	Hooded-merganser	*Lophodytes cucullatus*
American avocet	*Recurvirostra americana*	Canada goose	*Branta canadensis*
Black-necked stilt	*Himantopus mexicanus*	Blue-winged teal	*Spatula discors*
Herring gull	*Larus argentatus*	Mallard	*Anas platyrhynchos*
Laughing gull	*Leucophaeus atricilla*	Black-bellied whistling duck	*Dendrocygna autumnalis*
Boat-tailed grackle	*Quiscalus major*	Gadwall	*Mareca strepera*
Red-winged blackbird	*Agelaius phoeniceus*	American wigeon	*Mareca americana*
Anhinga	*Anhinga anhinga*	American coot	*Fulica americana*

Annex B: Representative mammal species (adapted from LCA Blind River Final SEIS; USACE, xyz).

Common Name	Scientific Name
Beaver	Castor Canadensis
Bobcat	Felis rufus
Cotton Mouse	Peromyscus gossypinus
Cotton Rat	Sigmodon hispidus
Coyote	Canis latrans
Eastern Cottontail	Sylvilagus floridanus
Eastern Harvest Mouse	Reithrodontomys humilis
Eastern Spotted Skunk	Spilogale putorius
Feral Hog	Sus scrofa
Fox Squirrel	Sciurus niger
Golden mouse	Ochrotomys nuttalli
Gray Fox	Urocyon cinereoargenteus
Gray Squirrel	Sciurus carolinensis
House Mouse	Mus musculus
Least Shrew	Cryptotis parva
Long-tailed Weasel	Mustela frenata
Marsh Rice Rat	Oryzomys palustris
Mink	Mustela vison
Muskrat	Ondatra zibethicus
Nine-banded Armadillo	Dasypus novemcinctus
Nutria	myocastor coypus
Old World Rats	Rattus spp.
Raccoon	Procyon lotor
Red Fox	Vulpes vulpes
River Otter Southern Flying Squirrel	Lutra canadensis
Southern Short-tailed Shrew	Glaucomys volans
Striped Skunk	Blarina carolinensis
Swamp Rabbit	Mephitis mephitis
Virginia Opossum	Didelphis virginiana
West Indian Manatee	Trichechus manatus

Annex C: Herpetofauna: Table indicating reptiles and amphibians likely to occur in project area vicinity (Michon, pers. comm. 2019).

Common Name	**Scientific Name**	**Common Name**	**Scientific Name**
Western Lesser Siren	*Siren intermedia nettingi*	Red-eared Slider	*Trachemys scripta elegans*
Central Newt	*Notophthalmus viridescens louisianensis*	Gulf Coast Box Turtle	*Terrapene carolina major*
Marbled Salamander	*Ambystoma opacum*	Midland Smooth Softshell	*Apalone mutica*
Three-toed Amphiuma	*Amphiuma tridactylum*	Gulf Coast Spiny Softshell	*Apalone spinifera aspera*
Valentine's Southern Dusky Salamander	*Desmognathus valentinei*	Mediterranean Gecko	*Hemidactylus turcicus (I)*
Four-toed Salamander	*Hemidactylium scutatum*	Northern Green Anole	*Anolis carolinensis carolinensis*
Western Dwarf Salamander	*Eurycea paludicola*	Little Brown Skink	*Scincella lateralis*
Fowler's Toad	*Bufo fowleri*	Common Five-lined Skink	*Plestiodon fasciatus*
East Texas Toad	*Bufo velatus*	Broad-headed Skink	*Plestiodon laticeps*
Gulf Coast Toad	*Bufo nebulifer*	Mississippi Ring-necked Snake	*Diadophis punctatus stictogenys*
Blanchard's Cricket Frog	*Acris blanchardi*	Western Mud Snake	*Farancia abacura*
Spring Peeper	*Pseudacris crucifer*	Eastern Hog-nosed Snake	*Heterodon platirhinos*
Cajun Chorus Frog	*Pseudacris fouquettei*	Pine Woods Snake	*Rhadinaea flavilata*
Cope's Gray Tree Frog	*Hyla chrysoscelis*	Midland Brown Snake	*Storeria dekayi wrightorum*
Western Bird-voiced Tree Frog	*Hyla avivoca avivoca*	Southern Red-bellied Snake	*Storeria occipitomaculata obscura*
Green Tree Frog	*Hyla cinerea*	Rough Earth Snake	*Haldea striatula*
Squirrel Tree Frog	*Hyla squirella*	Delta Glossy Swamp Snake	*Liodytes rigida deltae*
Eastern Narrow-mouthed Toad	*Gastrophryne carolinensis*	Graham's Crawfish Snake	*Regina grahamii*
Coastal Plains Leopard Frog	*Rana sphenocephala utricularius*	Mississippi Green Water Snake	*Nerodia cyclopion*
Bronze Frog	*Rana clamitans clamitans*	Northern Diamond-backed Water Snake	*Nerodia rhombifer rhombifer*
American Bull Frog	*Rana catesbeiana*	Yellow-bellied Water Snake	*Nerodia erythrogaster flavigaster*
Pig Frog	*Rana grylio*	Broad-banded Water Snake	*Nerodia fasciata confluens*
American Alligator	*Alligator mississippiensis*	Orange-striped Ribbon Snake	*Thamnophis proximus proximus*
Common Snapping Turtle	*Chelydra serpentina*	Eastern Garter Snake	*Thamnophis sirtalis sirtalis*
Alligator Snapping Turtle	*Macrochelys temminckii*	Northern Rough green Snake	*Opheodrys aestivus aestivus*
Mississippi Mud Turtle	*Kinosternon subrubrum hippocrepis*	Black-masked Racer	*Coluber constrictor latrunculus*
Stinkpot	*Sternotherus odoratus*	Gray Rat Snake	*Pantherophis spiloides*
Eastern Chicken Turtle	*Deirochelys reticularia reticularia*	Western Milk Snake	*Lampropeltis gentilis*
Mississippi Map Turtle	*Graptemys pseudogeographica kohnii*	Eastern Black King Snake	*Lampropeltis nigra*
Ouachita Map Turtle	*Graptemys ouachitensis*	Eastern Copperhead	*Agkistrodon contortrix*
Southern Painted Turtle	*Chrysemys dorsalis*	Northern Cottonmouth	*Agkistrodon piscivorus*
River Cooter	*Pseudemys concinna*	Timber Rattlesnale	*Crotalus horridus*

Annex D: Representative fishes adapted from LCA Blind River Final SEIS (USACE, xyz) and Kelso and others (2005).

Common Name	**Scientific Name**
skipjack herring	*Alosa chrysochloris*
black bullhead	*Ameiurus melas*
bowfin	*Amia calva*
American eel	*Anguilla rostrata*
freshwater drum	*Aplodinotus grunniens*
gulf menhaden	*Brevoortia patronus*
common carp	*Cyprinus carpio*
American gizzard shad	*Dorosoma cepedianum*
threadfin shad	*Dorosaoma petenense*
golden topminnow	*Fundulus chrysotus*
blue catfish	*Ictalurus furcatus*
channel catfish	*Ictalurus punctatus*
bigmouth buffalo	*Ictiobus cyprinellus*
spotted gar	*Lepisosteus oculatus*
longnose gar	*Lepisosteus osseus*
warmouth	*Lepomis gulosus*
orangespotted sunfish	*Lepomis humilis*
bluegill	*Lepomis macrochirus*
longear sunfish	*Lepomis megalotis*
redear sunfish	*Lepomis microlophus*
spotted bass	*Micropterus punctulatus*
largemouth bass	*Micropterus salmoides*
yellow bass	*Morone mississippiensis*
striped mullet	*Mugil cephalus*
black crappie	*Pomoxis nigromaculatus*
white crappie	*Pomoxis annularis*
blacktail shiner	*Cyprinella venusta*
western mosquitofish	*Gambusia affinis*
sailfin molly	*Poecilia latipinna*

Annex E: Representative plant species list adapted from Individual Environmental Report 36 (USACE xyz) and LCA Blind River Final SEIS (USACE, xyz).

Common Name	Scientific Name	Common Name	Scientific Name
Alligator weed	*Alternanthera philoxeroides*	Peppergrass	*Lepidium* spp.
American elm	*Ulmus americana*	Peppervine	*Ampelopsis arborea*
American sycamore	*Platanus occidentalis*	Pickerelweed	*Pontederia rotundifolia*
Bald cypress	*Taxodium distichum*	Pignut hickory	*Carya glabra*
Bedstraw	*Galium* spp.	Pigweed	*Amaranthus spp*
Bermuda grass	*Cynodon dactylon*	Planertree	*Planera aquatica*
Black willow	*Salix nigra*	Ragweed	*Ambrosia* spp.
Boxelder	*Acer negundo*	Red maple	*Acer rubrum*
Bushy beardgrass	*Andropogon glomeratus*	Red mulberry	*Morus rubra*
Buttonbush	*Cephalanthus occidentalis*	Smooth cordgrass	*Spartina alterniflora*
Carpetweed	*Mollugo verticillata*	Southern waterhemp	*Amaranthus* spp.
Cedar elm	*Ulmus crassifolia*	Spiny thistle	*Cirsium horridulum*
Chinese tallow tree	*Sapium sebiferum*	Sugarberry	*Celtis laevigata*
Cocklebur	*Xanthium* spp.	Sweetgum	*Liquidambar styraciflua*
Coffeeweed	*Sesbania* spp.	Three-corner grass	*Schoenoplectus americanus*
Common persimmon	*Diospyros virginiana*	Vervain	*Verbena* spp.
Dallis grass	*Paspalum dilatatum*	Water hyacinth	*Eichhornia crassipes*
Delta duck potato	*Sagittaria platyphylla*	Water Oak	*Quercus nigra*
Floating water primrose	*Ludwigia peploides*	Water pennywort	*Hydrocotyle umbellata*
Goldenrod	*Solidago* spp.	Water tupelo/tupelogum	*Nyssa aquatica*
Green ash	*fraxinus pennsylvanica*	Wire grass	*Spartina patens*
Honey locust	*Gleditsia triacanthos*	Woolly croton	*Croton capitatus*
Ironweed	*Vernonia* spp.	Wood sorrel	*Oxalis* spp.
Marshhay cordgrass	*Spartina patens*	Yankeeweed	*Eupatorium compositifolium*
Mock bishopweed	*Ptilimnium macrospermum*	Water milfoil	*Myriophyllum* spp.
Mosquito fern	*Azolla caroliniana*	Coontail	*Ceratophyllum demursum*
Nuttall oak	*Quercus nuttallii*	Souther pondweeds	*Potamogeton* spp.
		Dwarf Palmetto	*Sabal minor*

Appendix E: List of Acronyms

2016 WSLP EIS - West Shore Lake Pontchartrain Environmental Impact Statement

AADT - Annual Average Daily Traffic
AAHU - Average Annual Habitat Unit

ACHP - Advisory Council of Historic Preservation

ACS - American Community Service
B.C. - before Christ

BCS – Bonnet Carre' Spillway

BGEPA – Bald and Golden Eagle Protection Act

BLH - Bottomland Hardwoods

BMP - Best Management Practice
C/L - Centerline

CAA - Clean Air Act

CAR - Coordination Act Report

CDP - Census Designated Place
CEMVN - United States Army Corps of Engineers, Mississippi Valley Division, New Orleans District

CEQ - Council of Environmental Quality
CFR - Code of Federal Regulations

CI - Cumulative Impacts

CO - Carbon Monoxide
CPT – Cone Penetration Testing

CR – Cultural Resources

CRMS - Coastwide Reference Monitoring System

CWA - Clean Water Act

CZMA - Coastal Zone Management Act

dBA - A weighted decibel

DOTD - Department of Transportation and Development
EFH – Essential Fish Habitat

EIS - Environmental Impacts Statement

EJ - Environmental Justice

EO – Executive Order

EPA – Environmental Protection Agency

ER – Engineering Regulation

ESA - Endangered Species Act
FONSI - Finding of No Significant Impacts

FWCA - Fish and Wildlife Coordination Act
FWOP - Future Without Project

FWP - Future With Project

HSI - Habitat Suitability Index

HSDRRS - Hurricane Storm Damage Risk Reduction System
HTRW - Hazardous, Toxic, and Radioactive Waste

HU - Habitat Unit

Hwy - Highway

I - Interstate

LA - Louisiana

LCA - Louisiana Coastal Area

LDEQ – Louisiana Department of Environmental Quality

LDNR – Louisiana Department of Natural Resources

LDWF – Louisiana Department of Wildlife and Fisheries

MBTA – Migratory Bird Treaty Act

MP2.5 - Particulate Material less than

MSWMA – Maurepas Swamp Wildlife Management Area

NAAQS - National Air Quality Standards

NEPA - National Environmental Policy Act

NMFS – National Marine Fisheries Service

No. - Number

NO2 - Nitrous dioxide

NPP - Nesting Prevention Plan

NRCS – National Resource Conservation Service

NRHP - National Register of Historic Places

O3 - Oxone

PA - Programmatic Agreement

Pb - Lead

PDS-C - United States Army Corps of Engineers, Mississippi Valley Division, Regional Planning Division, South, Environmental Planning Branch, Environmental Studies Section

PED - Planning, Engineering, and Design

ROD - Record of Decision

ROE- Right of Entry

ROW – Right of Way

SAV – Submerged Aquatic Vegetation

SEA - Supplemental Environmental Assessment

SHPO – State Historic Preservation Officer

SI - Suitability Index

T&E - Threated and Endangered

US - United States

USACE - United States Army Corps of Engineers

USDA – United States Department of Agriculture

USFWS – United States Fish and Wildlife Service

USGS - United States Geological Survey

W. - West

WMA – Wildlife Management Area

WQC - Water Quality Certificate

WSLP Project - West Shore Lake Pontchartrain Hurricane and Storm Damage Risk Reduction Project

WVA - Wetland Value Assessment