



**DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118-3651**

Regional Planning and Environment Division, South
Coastal Compliance Branch

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

**MISSISSIPPI RIVER AND TRIBUTARIES PROJECT
ATCHAFALAYA BASIN CONSTRUCTION OF CHARENTON FLOODGATE
ST. MARY PARISH, LOUISIANA
ENVIRONMENTAL ASSESSMENT #511**

The U.S. Army Corps of Engineers, New Orleans District (USACE), has conducted an environmental assessment in accordance with the National Environmental Policy Act of 1969, as amended. The draft Environmental Assessment (EA) dated December 2020, for the Mississippi River and Tributaries Project (MR&T) Atchafalaya Basin Construction of Charenton Floodgate which addresses the construction of a new floodgate structure on the Atchafalaya Basin side of the existing Charenton Floodgate structure located one mile north of Charenton, Louisiana in St. Mary Parish. The structure is located adjacent to the West Atchafalaya Basin Protection Levee at its intersection with the Charenton Drainage Canal.

The recommended plan includes: The proposed action consists of constructing a new floodgate structure on the Atchafalaya Basin side of the existing Charenton Floodgate structure. The floodwalls extend out a couple hundred feet from each side of the new floodgate structure in order to tie-back into the existing levee. The existing walls on the monolith would be removed and the side slopes would be graded back. A temporary coffer dam would be placed on the Atchafalaya side of the system during construction. The existing floodgate structure will remain in place to continue to serve as the line of protection during construction until the new floodgates and floodwall are installed. Once the new system is in place, the existing steel floodgates will be removed but the concrete structure will remain. The bridge across the existing structure will not be impacted and will remain open to traffic both during construction and after construction is complete. A total of approximately 50,000 cubic yards of earthen material and 2,700 cubic yards of concrete (scour protection) will be placed for the project. The borrow material would come from an existing 68.4-acre borrow area that was approved in Environmental Assessment #467A. Construction includes relocating an existing fresh water intake pump station.

The purpose of the proposed action is to construct a new floodgate to meet new design height requirements identified in the 2010 Refined Flowline Study Report completed for the Atchafalaya Basin. The Charenton Floodgate is currently the lowest spot in this line of protection and thus the highest priority on the West Atchafalaya Basin Protection Levee. Due to poor condition, the gates have not been operated in over 18 years. The levee systems around the perimeter of the Atchafalaya Basin have been raised through

the years to provide a higher level of protection while the Charenton Floodgate remains the lowest location along the levee.

A staging area for construction equipment, materials, and personnel will be located in a previously disturbed area. The construction staging area will be utilized for the duration of the project and will be returned to pre-existing conditions upon completion of the project.

In addition to the recommended plan, a “no action” plan was also evaluated.

For the recommended plan, the potential effects were evaluated. A summary of the potential effects are listed in Table 1:

Table 1: Summary of Potential Effects of the Recommended Plan

	Insignificant effects	Insignificant effects as a result of mitigation	Resource unaffected by action
Aquatic resources/Fisheries	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wetlands	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wildlife habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Threatened/Endangered Species – Critical Habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cultural resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Water quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visual Resources (Aesthetics)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prime and Unique Farmland	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreational resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous, toxic & radioactive waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tribal trust resources	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the recommended plan.

Pursuant to section 7 of the Endangered Species Act of 1973, as amended, USACE has determined that the recommended plan would not likely adversely affect no threatened or endangered species nor their critical habitats that are known to occur in areas that would be disturbed by the proposed work. Coordination with the U.S. Fish and Wildlife Service has concurred with this decision on August 05, 2020.

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, the State Historic Preservation Officer (SHPO) concurred with the determination of Removal of the sector gates would cause an adverse effect to the Charenton Floodgate and would require mitigation to address those adverse effects. The memorandum of agreement would be signed by all consulting parties prior to the signing of the FONSI and the agreed to mitigation completed prior to the removal of the sector gates and the commencement of any other construction related activities.

Pursuant to the Clean Water Act (CWA) of 1972, as amended, A CWA draft Section 404(b)(1) public notice has been completed for this project and will be circulated for public comment with this draft EA. Additionally, a CWA Section 401 State Water Quality Certificate was received by the Louisiana Department of Environmental Quality for the proposed action in EA #511 on June 10, 2020 (WQC 200408-01).

Pursuant to the Coastal Resources Management Act of 1978, as amended, the Louisiana Department of Natural Resources (LDNR) concurred with the USACE determination that the project as proposed is consistent with the Louisiana Coastal Resources Program. LDNR issued Coastal Zone Consistency in a letter dated May 22, 2020 (C20200050).

Pursuant to the Farmland Protection Policy Act —Subtitle I of Title XV, Section 1539-1549: Natural Resources Conservation Service concurred in correspondence dated May 5, 2020, that the proposed actions of this EA will not impact prime farmland and therefore is exempt from the rules and regulations.

The following environmental design commitments are an integral part of the proposed action:

1. If the proposed action is changed significantly or is not implemented within one year, USACE would reinitiate consultation with the FWS to ensure that the proposed action would have no effect on any Federally-listed threatened or endangered species, critical habitat or FWS trust resources.
2. **Inadvertent Discovery and Unexpected Effects:** If during the course of work, archaeological artifacts (prehistoric or historic) are discovered or unexpected effects to historic properties, including architecture, architectural elements, and/or archaeology, are identified, the contractor shall stop work in the general vicinity of the discovery or unexpected effect and take all reasonable measures to avoid or minimize harm to the finds or affected property. The contractor would ensure that the discovery or unexpected effects are secured and stabilized, as necessary, and access to the area is restricted. The contractor shall inform their Operations Division contacts at USACE, who would in turn contact Planning Division (PD)

staff. The contractor would not proceed with work until USACE PD completes consultation with the Louisiana SHPO, and others, as appropriate.

3. **Louisiana Unmarked Human Burial Sites Preservation Act:** If human bone or unmarked grave(s) are present within the Work area, compliance with the Louisiana Unmarked Human Burial Sites Preservation Act (R.S. 8:671 et seq.) is required. The contractor shall notify the law enforcement agency of the jurisdiction where the remains are located within twenty-four hours of the discovery. The contractor shall also notify USACE and the Louisiana Division of Archaeology within seventy-two hours of the discovery. Discoveries of unmarked graves, burials, human remains, or items of cultural patrimony on Federal or Tribal lands shall be subject to the Native American Graves Protection and Repatriation Act (25 U.S.C. §3001-3013, 18 U.S.C. § 1170) and the Archaeological Resources Protection Act of 1979 (16 U.S.C. §470aa – 470mm).

USACE has evaluated the potential environmental impacts of the proposed action in EA #511 (incorporated herein by reference). The proposed action would allow this feature to come out of disrepair and begin to provide a means of controlling the flow of fresh water from the Atchafalaya Basin into the Charenton Drainage Canal and Bayou Teche again. A dual purpose of the project is to allow recreational navigation through this location in the Atchafalaya levee system. Updating these features would enable the Atchafalaya Basin Floodway to fulfill its flood control role in the MR&T flood control project, as well as, optimize the environmental protection of the Lower Atchafalaya Basin. Based on this assessment, a review of the comments made on draft EA #511, and the implementation of the environmental design commitments listed above, a determination has been made that the proposed action would have no significant impact on the human environment. Therefore, an Environmental Impact Statement will not be prepared.

Draft

Date

STEPHEN F. MURPHY
Colonel, U.S. Army
District Commander