

April 30, 2008

Planning, Programs, and
Project Management Division
Environmental Planning
and Compliance Branch

PUBLIC NOTICE

Jefferson East Bank portion of the LPV Hurricane Protection Project Jefferson Parish, Louisiana (Individual Environmental Report [IER #3])

Introduction. This Public Notice is issued in accordance with provisions of Title 33 CFR Parts 336.1(b)(1) and 337.1, which establish policy, practices, and procedures to be followed on federal actions involving the disposal of dredged or fill material into waters of the United States.

Project Authority. These efforts have been conducted mainly under the authority provided by PL 84-99 and under the authority of PL 109-148, Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza Act, 2006 (3rd Supplemental); PL 109-234, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (4th Supplemental); and the United States (U.S.) Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 H.R. 2206 (pgs 41-44) Title IV, Chapter 3, Flood Control and Coastal Emergencies, (5th Supplemental), General Provisions, SEC. 4302.

Other directly relevant authorizations include the Lake Pontchartrain and Vicinity Hurricane Protection Project [Lake Pontchartrain and Vicinity: Flood Control Act of 1965 (PL 89-298, Title II, Sec. 204); Water Resource Development Acts of 1974 (PL 93-251, Title I, Sec. 92), 1986 (PL 99-662, Title VIII, Sec. 805), 1990 (PL 101-640, Sec. 116), 1992 (PL 102-580, Sec. 102), 1996 (PL 104-303, Sec. 325), 1999 (PL 106-53, Sec. 324), and 2000 (PL 106-541, Sec. 432); Energy and Water Development Appropriations Acts of 1992 (PL 102-104, Title I, Construction, General), 1993 (PL 102-377, Title I, Construction, General), and 1994 (PL 103-126, Title I, Construction, General)].

Location. The project area is located in Jefferson Parish on the southern shore of Lake Pontchartrain, extending from near the Jefferson-St. Charles Parish boundary line on the west to the Jefferson-Orleans Parish boundary line on the east. Access to the project area is provided by major north-south roads that have interchanges with I-10, including Williams Blvd., Clearview Parkway, North Causeway Blvd., and Bonnabel Blvd., as well as by numerous local streets. The easting and northing coordinates that define the project area are 3615151.28 east/ 564891.96 north and 3664193.78 east/555091.03 north. These coordinates are provided in State Plane NAD83 Feet, Louisiana South projection.

Project Description. The proposed action consists of rebuilding earthen levees, upgrading foreshore protection west of the Lake Pontchartrain Causeway, replacing floodgates, and constructing fronting protection and modifying or constructing breakwaters at four pumping stations. The elevations of the existing levees, floodwalls, structures, and gates within the LPV projects would be raised to a height of 16.5-17.5 ft, with the exception of the breakwaters at the pumping stations, which would be modified and/or constructed to a height of 10 to 14 ft.

The purpose of the proposed action is to provide 100-year level of protection for Jefferson East Bank. The term “100-year level of protection” refers to a level of protection that reduces the risk of hurricane surge and wave-driven flooding that the New Orleans metropolitan area has a 1 percent chance of experiencing in any given year. The elevations of the existing floodwall tie-ins, gates, and levees within five reaches of the LPV project area (LPV 00, 01, 02, 19, 20) are below the 100-year design elevation. The proposed action results from the need to reduce flood risk and storm damage to residences, businesses, and other infrastructure from storm-induced and tidally-driven 100-year storm events on Lake Pontchartrain.

The proposed action itself consists of measures to minimize the adverse effects of storm water erosion and thus requires no separate measures or controls for compliance with CWA Section 402(p) and LAC 33:IX.2341.B.14.j.

Discharges by Others

These wetlands are waters of the US and navigable waters of the US, and are therefore under the jurisdiction of the USACE and would require compliance with Section 404 of the CWA for any dredge and fill activities.

Other Information.

The *Joint Application for Work within the Louisiana Coastal Zone* for this project was submitted to the Louisiana Department of Natural Resources on April 14, 2008.

Properties Adjacent to Disposal Sites.

The project area is located in Jefferson Parish on the southern shore of Lake Pontchartrain, extending from near the Jefferson-St. Charles Parish boundary line on the west to the Jefferson-Orleans Parish boundary line on the east. Land use in this part of the Jefferson Parish East Bank is predominantly single-family residential, with some multi-family, commercial, and institutional/government development. Non-residential land uses are concentrated near Williams Blvd. (Pontchartrain Center and Treasure Chest Casino) east of pumping station #4 (Duncan), along North Causeway Blvd. (offices, hotels, retail) near the Lake Pontchartrain Causeway, and along Hammond Highway (restaurants, retail, offices) near the Jefferson-Orleans Parish boundary line at the eastern end of reach 5 (LPV 20). Other non-residential land uses include a fitness club, middle school, and religious retreat facility located between the levee and Avron Blvd. within reach 3 (LPV 02) and U.S. Coast Guard Station New Orleans at the Bucktown Marina north of the levee at the eastern end of reach 5 (LPV 20). Recreational land uses north of the levee, along the Lake Pontchartrain shoreline, include the boat launches at the end of

Williams Blvd. (east of pumping station #4) and Bonnabel Blvd. (east of pumping station #1) as well as the linear park (walking/bicycling trail) that runs along the levee corridor.

Status of Environmental Assessment (EA) and Other Environmental Documents.

The U.S. Army Corps of Engineers (USACE), Mississippi Valley Division, New Orleans District (CEMVN), has prepared an Individual Environmental Report #3 (IER #3) to evaluate the proposed action and alternatives. The IER was distributed to the public on **DATE**. Numerous studies, reports and projects have been conducted in the IER #3 study area and are presented in Section 1.3 of the IER.

Environmental compliance for the proposed action would be achieved upon: coordination of this IER with appropriate agencies, organizations, and individuals for their review and comments; U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) confirmation that the proposed action would not be likely to adversely affect any endangered or threatened species; Louisiana Department of Natural Resources concurrence with the determination that the proposed action is consistent, to the maximum extent practicable, with the Louisiana Coastal Resources Program; receipt of a Water Quality Certificate from the State of Louisiana; public review of the Section 404(b)(1) Public Notice; signature of the Section 404(b)(1) Evaluation; receipt of the Louisiana State Historic Preservation Officer Determination of No Affect on cultural resources; receipt and acceptance or resolution of all USFWS Fish and Wildlife Coordination Act recommendations; receipt and acceptance or resolution of all Louisiana Department of Environmental Quality comments on the air quality impact analysis documented in the IER; and receipt and acceptance or resolution of all NMFS Essential Fish Habitat recommendations.

Coordination. The following is a partial list of agencies to which a copy of this notice is being sent:

- U.S. Environmental Protection Agency, Region VI
- U.S. Fish and Wildlife Service
- National Marine Fisheries Service
- U.S. Coast Guard, Eighth District
- Louisiana Department of Environmental Quality
- Louisiana Department of Natural Resources
- Louisiana Department of Wildlife and Fisheries
- Louisiana Department of Transportation and Development
- Louisiana State Historic Preservation Officer

This notice is being distributed to these and other appropriate Congressional, federal, state, and local interests, environmental organizations, and other interested parties.

Evaluation Factors. Evaluation includes application of the Section 404(b)(1) guidelines promulgated by the Administrator of the U.S. Environmental Protection Agency, through 40 CFR 230.

Public Involvement. Interested parties may express their views on the disposal of material associated with the proposed action or suggest modifications. All comments postmarked on or before the expiration of the comment period for this notice will be considered.

Any person who has an interest that may be affected by deposition of excavated or dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by the proposed action.

You are requested to communicate the information contained in this notice to any parties who may have an interest in the proposed action.

For further information regarding the proposed action, please contact Ms. Elizabeth Behrens at 504-862-2025. Ms. Behrens' FAX number is 504-862-2088, and her E-mail address is Elizabeth.H.Behrens@mvn02.usace.army.mil.

David F. Carney
Chief, Environmental Planning
and Compliance Branch

COMMENT PERIOD FOR THIS PUBLIC NOTICE EXPIRES: _____

Enter a date that is 30 days following the date that the Public Notice is signed by the Chief, PM-R.