

RECORD OF DECISION
New Orleans to Venice Federal Hurricane Protection Levee
Plaquemines Parish, Louisiana
Supplemental Environmental Impact Statement

The final Supplemental Environmental Impact Statement (SEIS) for the New Orleans to Venice (NOV) Hurricane Protection Levee in Plaquemines Parish, Louisiana, provides documentation in support of a recommended plan for restoring, armoring, and accelerating completion of the NOV Federal levee system in Plaquemines Parish, per the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (3^d Supplemental); Emergency Supplemental Appropriations Act for Defense; the Global War on Terror, and Hurricane Recovery, 2006 (4th Supplemental); Supplemental Appropriations Act, 2008 (6th Supplemental); and Supplemental Appropriations Act, 2009 (7th Supplemental). The recommended plan will provide for enhanced storm risk reduction. Based on my review and that of my staff, I find the recommended plan to be technically feasible and in compliance with applicable environmental statutes, and in the public interest.

The specific features of the recommended plan (Alternative 2), which maximizes system reliability and minimizes impacts on the human population and highly valued environmental resources include:

- Repair work, restoration of the project to the authorized grade, armoring of critical project elements, and accelerated completion of approximately 90 miles of existing Federal levees on the east bank of the Mississippi River in Plaquemines Parish from Phoenix to Bohemia and on the west bank from St. Jude to Venice.
- Restoration of the NOV Federal levee system to an authorized 2 percent (%) design elevation, or approximately 50-year level of risk reduction, using the current design criteria based on current hurricane modeling techniques.
- Providing for a 50-year level of storm risk reduction to meet the authorized design grade by elevating the levee crest with earthen fill and expanding the levee base footprint to provide the necessary design strength, repairing or restoring floodwalls, and raising and stabilizing existing pump station walls and gates.
- NOV Levee reaches that include deficiencies in the Mississippi River Levee (MRL) system would be corrected in conjunction with Mississippi River and Tributaries (MR&T) authorized work.

The NOV Federal Levee SEIS provides detailed analysis for two final alternatives, as well as the No-Action Alternative. In addition to the recommended plan, other alternatives that were evaluated as a basis for plan selections were:

Alternative 1 (No-Action Alternative). This alternative, also known as the future without-project condition, is a requirement of the Council on Environmental Quality regulations to implement the National Environmental Policy Act (NEPA) (40 CFR Part 1500, *et seq.*). Under the No-Action Alternative, there would be no restoration, armoring, or accelerated completion of any of the existing flood risk reduction structures within Plaquemines Parish as instituted by the Federal government, and the authorized design flood risk reduction would not be provided within the levee sections. The No-Action Alternative would be the least environmentally damaging alternative. However, implementation of the No-Action Alternative would not provide enhanced storm risk reduction and would not result in the social and economic benefits gained by implementing the congressionally authorized storm risk reduction project.

Alternative 3 (Authorized Pre-Katrina (GDM) Level of Risk Reduction). Alternative 3 would be similar to the recommended plan (Alternative 1), as it would restore, armor, and accelerate completion of the NOV Federal levee system. However, the levee system would be designed to meet the authorized Pre-Hurricane Katrina General Design Memorandum (GDM) level of risk reduction, which is based on the GDM design that was completed before the 2005 hurricane season. The Pre-Katrina (GDM) level of risk reduction would reduce the risk of hurricane surge and wave-driven flooding in any given year to various levels above or below the 2% elevation.

Where possible, levee enlargement activities were designed as a protected-side shift in order to avoid and minimize impacts on wetland habitats. In instances where conditions existed (such as residential areas or interior freshwater canals) that prohibited a protected-side shift, a straddle or flood-shift was deemed necessary and unavoidable. Although avoidance and minimization of wetland impacts were applied during the plan formulation, implementation of the recommended plan will result in the loss of 110.49 acres of wet bottom-land hardwoods, 1.86 acres of dry bottom-land hardwoods, 2.96 acres of scrub-shrub, 75.26 acres of intermediate marsh, 82.96 acres of freshwater marsh, 30.00 acres of brackish marsh, and 105.99 acres of saline marsh for a total of 409.52 acres of habitat. Mitigation for these impacts will be required for the implementation of the recommended plan.

The Mitigation Plan, included in the SEIS, outlines the proposed plans for mitigation and monitoring, and provides the basis for compliance with Section 2036 for WRDA 2007 and 2009 USACE Implementation Guidance. A site-specific plan for a specific mitigation sites and methods will be coordinated in a supplemental environmental assessment(s) subsequent to this Record of Decision prior to project construction. This supplemental environmental assessment(s) finalizing specific mitigation will be coordinated with the public and agencies for a 45-day comment period. Full compensatory mitigation for the selected alternative impacts and associated borrow will be implemented concurrently with project construction. Adequate funding for this effort has been budgeted. If, during project implementation, the currently budgeted funding for mitigation is found to be inadequate, additional project funds will be applied to ensure that the adverse impacts of construction activities have been fully compensated. Construction will not begin on any particular levee reach until the mitigation requirements for that particular item have been incorporated into the mitigation plan and vetted with the PDT.

Priority consideration will be given to areas for potential mitigation identified in the final Fish and Wildlife Coordination Act Report, along the west and east sides of the Mississippi River. Secondary consideration will be given to potential mitigation areas near the project area. Preservation of existing wetlands is not being considered as a mitigation strategy for this project.

The draft SEIS was released to the public on March 25, 2011. A Notice of Availability for the draft SEIS was transmitted to the U.S. Environmental Protection Agency (EPA) and published in the *Federal Register* on March 25, 2011. The 45-day public comment period ended on May 8, 2011. Three public meetings to present the proposed project and solicit input on the draft SEIS were held on April 5, 2011 at the Buras Auditorium in Buras, Louisiana; April 6, 2011 at the Belle Chasse Middle School in Belle Chasse, Louisiana; and April 7, 2011 at the Rev. Percy M. Griffin Community Center in Davant, Louisiana. The majority of the comments received during the public meetings concerned project material (borrow), project cost and duration, levee height and alignment, and mitigation. The draft SEIS underwent Agency Technical Review prior to its release to the public, and those comments and/or recommendations were incorporated. Public and resource agency comments primarily focused on location and use of borrow material; project funding; essential fish habitat impacts; wetlands and water quality analysis; wetland value assessment; mitigation plan and costs; level of risk reduction; construction sequence and completion dates; levee height and alignment; noise and air impacts; and non-structural risk reduction alternatives. Responses were prepared for all of the public and agency comments and the SEIS was revised as appropriate. The final SEIS was released for a 30-day public and resource agency review from June 24, 2011 to July 25, 2011.


Resource agency comments focused primarily on the lack of a specific mitigation site being identified in the mitigation plan. In response, a teleconference was held on July 18, 2011 with the US Fish and Wildlife Service, the US Environmental Protection Agency, and the National Marine Fisheries Service, to address those concerns. The teleconference resulted in a commitment by the Corps to form a project delivery team, consisting of members from the Corps and other interested state and federal agencies to develop screening criteria for potential mitigation sites and to plan, locate, and implement any specific mitigation projects once a ROD has been signed. Also during the 30-day review period, the National Park Service requested that additional information regarding possible hydrologic impacts to Fort Jackson, which is a National Historic Landmark. Hydrological analysis by the Corps determined that the recommended plan would have no additional hydrological impact than the No Action Alternative.

The recommended plan is in compliance with the Endangered Species Act, Section 401 and 404 of the Clean Water Act, the Coastal Zone Management Act, Executive Order (EO) 11988, EO 11990, the National Environmental Policy Act, and other applicable environmental and cultural resources statutes and regulations. All practicable means were employed to avoid or minimize adverse effects to the environment. Should project changes develop in the future, NEPA or other statutes and regulations will be complied with.

Technical, environmental, and economic criteria used in the analysis of the alternatives were those specified in the Water Resources Council's Economic and Environmental Principles and Guidelines. All applicable laws, Executive Orders, regulations, and local government plans were considered in the evaluation of the alternatives. Based on review of these evaluations, I find that the benefits of the recommended plan, along with mitigation that would be implemented concurrent with project construction, outweigh any adverse effects. This ROD completes the NEPA process.

31 Oct 2011

Date



Michael J. Walsh
Major General, U.S. Army
Division Commander