

DRAFT FINDING OF NO SIGNIFICANT IMPACT (FONSI)
SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT (SEA) #498A
WEST BANK AND VICINITY
HURRICANE PROTECTION PROJECT
IMPLEMENTATION OF PREVIOUSLY AUTHORIZED MITIGATION PLANS
ST. CHARLES, LOUISIANA

Description of Recommended Plan: The U.S. Army Corps of Engineers, New Orleans District (MVN), has prepared this Supplemental Environmental Assessment (SEA) #498A, incorporated by reference herein, to evaluate alternatives that would modify the previously authorized mitigation plan. The recommended plan would enhance and re-establish bottomland hardwood (BLH) and swamp habitat adjacent to the Salvador Wildlife Management Area which has been named the St. Charles Acquisition Area (STC). Acquisition, preservation and management would remain as described in SEA #498. This mitigation plan was formulated and documented in three feasibility reports/environmental impact statements (FR/EISs) issued in 1986, 1994, and 1996. Details regarding these FR/EISs are contained in SEA #498 (2012) and SEA #498A, which are incorporated by reference herein.

The recommended plan would modify the previously developed and approved mitigation plan to enhance, and re-establish swamp and BLH habitat due to changes at the STC site. The proposed action would achieve the same amount of mitigation but requires additional actions due to changes in conditions at the mitigation site. Since the release of SEA #498 in 2012, there has been obvious tree mortality. This mortality seems to have been induced by increased inundation over time due to a new pumping station and the existing berm impeding sheet-flow. Therefore, modifications to the plan are required for the STC mitigation site to achieve adequate mitigation. The goal of the proposed action is to improve hydrology across the 1,321 acre site and re-establish approximately 74 acres of BLH and swamp tree species native to southern Louisiana.

Actions to restore the hydrology of the mitigation site and maintain the prescribed habitat for mitigation includes constructing twelve 100 foot cuts in the existing berm at 500 feet intervals to improve the sheet-flow of water. To address the current loss of trees, approximately 74 acres of BLH and swamp species would be planted in areas described in section 2.3 of SEA #498A. Acquisition, preservation and management would remain as described in SEA #498.

Factors Considered in Determination: This office has assessed the impacts of the proposed action and the no action alternative on relevant resources, including: 1) wetlands, 2) aquatic resources/fisheries, 3) wildlife, 4) threatened, endangered, and other protected species, 5) air quality, 6) water quality, 7) noise 8) cultural resources, 9) recreational resources, 10) aesthetics, 11) hazardous, toxic and radioactive waste, and 12) hydraulics and hydrology. No significant adverse impacts were identified for any of

the relevant resources. No impacts were identified that would require additional compensatory mitigation. By letter dated May 28, 2020, the U.S. Fish and Wildlife Service expressed their support for the proposed action. A Coastal Zone Consistency Determination was submitted to LDNR on May 5, 2020 and Coordination is ongoing. A Water Quality Certificate was received from LDEQ on May 21, 2020 (WQC 200519-01/AI 101235/CER 20200004). A Clean Water Act 404 (b)(1) evaluation was released for public review concurrent with the SEA #498A and signed on July XX, 2020. Concurrence with a recommendation of no effect on historic properties was received from the SHPO on April 15, 2020, and the Muscogee (Creek) Nation on March 19, 2020. The risk of encountering HTRW is low. The proposed action does not affect any threatened or endangered species as none are present in the area.

Environmental Design Commitments. The following commitments are an integral part of the proposed action:

1) If the proposed action is changed significantly or is not implemented within one year, the New Orleans District will coordinate with the U.S. Fish and Wildlife Service to ensure that the proposed action would not affect any Federally-listed threatened or endangered species, or their habitat

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 artifacts(s) or affected property. The contractor will ensure that the discovery is secured and stabilized, as necessary, and access to the area is restricted. The contractor will inform CEMVN. Furthermore, if during the course of work, Native American artifacts or human remains are encountered CEMVN will immediately contact Tribes. The contractor would not proceed with work until CEMVN completes consultation with the Louisiana SHPO, Tribes, 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 (NAGPRA) (25 U.S.C. §3001-3013, 18 U.S.C. § 1170) and the Archaeological Resources Protection Act of 1979 (ARPA)(16 U.S.C. §470aa – 470mm). Tribes will be contacted as soon as possible in the event Native American artifacts or human remains are encountered.

Public Involvement. The proposed action has been coordinated with appropriate Federal, state, and local agencies and businesses, organizations, and individuals through release of SEA #498A on July 6, 2020 for 15-day review and comment. The SEA and a draft FONSI was provided to the resource agencies for review. SEA #498A is attached hereto and made a part of this FONSI.

Conclusion. The tentatively-selected alternative would satisfy CEMVN requirements to mitigate for impacts related to the West Bank and Vicinity Project as authorized prior to Hurricane Katrina. This office has assessed the potential environmental impacts of the proposed action and the “no action” alternatives. Based on this assessment, which is attached hereto and made a part hereof, a review of the comments made on SEA #498A, 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 and is the environmentally preferable plan.

Based on the above-described evaluation and coordination, the proposed action is the Recommended Plan for implementation. The plan is justified and complies with relevant environmental statutes. All practicable means to avoid and minimize environmental harm with respect to the proposed action have been incorporated. It is in the public interest to implement the Recommended Plan.

Date

Stephen Murphy
Colonel, U.S. Army
District Commander