



REPLY TO
ATTENTION OF

Regional Planning and
Environment Division, South

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

CLEAN WATER ACT, SECTION 404 PUBLIC NOTICE

WEST BANK & VICINITY HURRICANE PROTECTION PROJECT IMPLEMENTATION OF PREVIOUSLY AUTHORIZED MITIGATION PLANS

ST. CHARLES, LOUISIANA SEA #498A

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. Authority for the mitigation of environmental impacts caused by water resources projects is provided to the Secretary of the Army by the WRDA 1986 Section 906, as amended, along with other statutes, including NEPA, Clean Water Act (CWA), and Fish & Wildlife Coordination Act. Additionally, mitigation features are project features of the construction project which generated the mitigation requirements-in this case WBV. Therefore, the mitigation features are governed by the WBV project authorities and associated PPA, under which the project is being executed. For full discussion of original project authorities, please see section 1.3 of SEA #498 which is located in Appendix F of SEA #498A.

Location. The proposed action is located in Luling, St. Charles Parish, Louisiana, immediately south of the Willowridge subdivision.

Project Description. The goal of the proposed action is to re-establish hydrology, and re-establish approximately 74 acres of BLH and swamp species native to southern Louisiana.

There is an existing berm that is approximately 7,000 feet in length and 4 ft. high and prevents water from draining from the mitigation site. Twelve, 100 foot cuts would be made in this berm at 500 foot intervals. The berm would be excavated to match the elevations found in the existing forested area, which is an elevation of approximately (-)1.5 NAVD88. Cuts would be excavated to a bottom length of 100 feet. The ends of each cut must be graded to the existing elevation of the berm to retain access for recreational vehicles. The bottom of the cuts will be covered with an aggregate base so the two-track path on the crown of the berm can continue to serve recreationalists. The berm was originally constructed from borrow material immediately adjacent to the north/east side of the berm, creating a shallow ditch. The material from the cuts in the berm will be disposed of on-site, first filling the ditch, then by spreading the material to a distance reachable by the equipment (approximately 15 feet), and not to exceed the elevation of the bottom of the cuts. The excavated material would be smoothed to maintain sheet-flow across the area. Should there be excess excavated material, it should be disposed of off-site at a properly licensed facility for the material. Contractor should construct cuts in a manner to assure

that complete water interchange is afforded between the cut and existing swamp upon completion of excavation and installation of crushed stone. The equipment for the excavation and crushed stone placement would use the existing berm footprint to traverse the site to reduce damage to the surrounding environment. Engineering estimates that 3,000 cubic yards of material will be removed from the berm in twelve 100 foot cuts.

The current tree mortality would be compensated by planting approximately 74 acres of bottomland hardwood and swamp species in appropriate locations within the mitigation site and treatment of invasive species.

Discharges by Others. No discharges are anticipated by others.

Other Information. The STC project was approved and authorized with a Finding of No Significant Impact (FONSI) on July 13, 2012. SEA #498 is located in Appendix F of SEA #498A. In SEA #498 the recommended plan for mitigation at the St. Charles site was:

“...the STC site would include preserving through acquisition alone approximately 1,211 acres of existing cypress Swamp/BLH, while an additional 90.9 acres would be preserved through active management activities after acquisition. Management construction activities would include selective tree removal and tree girdling and/or injection to enhance snag numbers, as well as planting with desirable species in selected areas. Additionally approximately 12.8 acres of BLH dry species would be planted in areas previously cleared for roads as part of the Willowridge subdivision, Phase 6... A total of 1,321 acres would be acquired at the STC site.” (USACE 2012)

The New Proposed Action 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 and re-establish approximately 74 acres of BLH and swamp tree species native to southern Louisiana.

Properties Adjacent to Disposal Sites. The project would occur on the flood side of the levee to the south of the Willowridge subdivision pump station and to the west of the Davis pond diversion canal. The property adjacent to the proposed action is bottomland hardwood and swamp to the south and west. The property is owned by the same company as the acquired mitigation property, with the exception of the Willowridge subdivision to the north.

Status of Supplemental Environmental Assessment #498A and Other Environmental Documents. SEA#498A titled “West Bank and Vicinity Hurricane Protection Project, Implementation of Previously Authorized Mitigation Plans, St Charles, Louisiana, SEA #498A”, is currently under public review and was prepared to address the propose action and alternatives for this mitigation in accordance with the National Environmental Policy Act (NEPA) of 1969

and the President's Council on Environmental Quality's (CEQ) Regulations (40 CFR §1500-1508), as reflected in the USACE Engineering Regulation, ER 2002-2. SEA #498A was mailed to the public for a 15-day review on July 6, 2020. The associated draft Finding of No Significant Impact (FONSI) is also available for public review.

Environmental compliance for the proposed action would be achieved upon: coordination of this SEA and draft FONSI with appropriate agencies, organizations, and individuals for their review and comments; public review of the Section 404(b)(1) Public Notice; signature of the Section 404(b)(1) Evaluation; 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 and acceptance or resolution of all Louisiana Department of Environmental Quality comments on the air quality impact analysis documented in the SEA; receipt of a Water Quality Certificate from the State of Louisiana, received 21 May 2020, WQC 200519-01, AI#101235, CER 20200004; consultation pursuant to Section 106 has been completed and a finding of no historic properties affected, and having no additional potential to cause effect to any potential cultural resources, coordinated for the original Project goals as presented in SEA #498, concurrence was received in a letter dated 15 April 2020; U.S. Fish and Wildlife Service (USFWS) confirmation that the proposed action would have no effect on any threatened or endangered species and receipt of concurrence with previously issued U.S. Fish and Wildlife Service Coordination Act Report, received in a letter dated 3 June 2020. The draft FONSI would not be signed until the proposed action achieves environmental compliance with applicable laws and regulations, as described above.

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
- 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 15 day 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 Mr. Eric Tomasovic at (504) 862-1266, or e-mail mvnenvironmental@usace.army.mil. An electronic copy of the report and its appendices, along with prior reports and supporting documents are located on the CEMVN District web page at: <http://www.mvn.usace.army.mil/Environmental/NEPA/>.

Given the current National situation with COVID-19, comments should be provided by email to mvnenvironmental@usace.army.mil if possible.

Marshall K. Harper
Chief, Environmental Planning Branch

COMMENT PERIOD FOR THIS PUBLIC NOTICE EXPIRES: July 21, 2020.