



**DEPARTMENT OF THE ARMY**  
**CORPS OF ENGINEERS, NEW ORLEANS DISTRICT**  
 P.O. BOX 60267  
 NEW ORLEANS, LOUISIANA 70160-0267

Regional Planning and  
 Environment Division South  
 Environmental Planning Branch

**Decision Record**

**SUPPLEMENTAL PROGRAMMATIC INDIVIDUAL ENVIRONMENTAL REPORT  
 MITIGATION FOR PROTECTED SIDE BOTTOMLAND HARDWOODS DRY  
 WEST BANK AND VICINITY (WBV) HURRICANE AND STORM DAMAGE  
 RISK REDUCTION SYSTEM (HSDRRS)  
 JEFFERSON PARISH, LOUISIANA**

**SPIER #37a**

1. **Description of Proposed Action.** The New Orleans District, US Army Corps of Engineers (CEMVN) described and evaluated its proposed modified mitigation plan to compensate for unavoidable BLH-Dry habitat losses caused by the construction of the WBV HSDRRS in Supplemental Programmatic Individual Environmental Report (SPIER) #37a. The modified mitigation plan set forth in the SPIER is comprised of both constructible and programmatic features. In this Decision Record, the constructible feature of the selected plan is recommended for implementation while the programmatic features are recommended for further formulation and evaluation. Future National Environmental Policy Act (NEPA) documents will describe a proposed modified plan for the programmatic features in further detail and will contain further evaluation of the anticipated effects for those features. SPIER #37a is attached hereto and is incorporated herein by reference. The proposed WBV modified mitigation plan provides compensatory mitigation for impacts (expressed in average annualized habitat units (AAHU's)) to the following habitat types:

Habitat Type	TSMMP Project	AAHUs Impacted	Mitigation Project Acres
General Protected Side (PS) BLH-Wet	Mitigation Bank (already satisfied)	7.27 AAHUS	N/A
General PS BLH-Dry	Avondale Gardens	193 AAHUs	920.00
General Flood Side (FS) BLH-Wet	Lake Boeuf BLH-Wet Restoration*	72.04 AAHUs	221.90
General FS Swamp	Lake Boeuf Swamp Restoration*	134.52 AAHUs	319.80
General FS Fresh Marsh	Jean Lafitte (approved)	65.92 AAHUs	138.00
Park/404(c) FS BLH-Wet	Jean Lafitte(approved)	5.2 AAHUs	8.2
Park/404(c) FS Swamp	Jean Lafitte(approved)	8.42 AAHUs	106

Park/404(c)FS Fresh Marsh	Jean Lafitte(approved)	3.03 AAHUs	20.40
---------------------------	------------------------	------------	-------

\*CEMVN considers these projects to be not implementable; consequently, projects to compensate for these habitat losses are undergoing reformulation

The WBV mitigation plan is summarized as follows:

	WBV Mitigation Plan	Design
<b>Constructible Feature</b>	<b>Avondale Gardens (Protected Side BLH-Dry)</b>	920 acres BLH-Dry enhancement
<b>Programmatic Features</b>	<b>Lake Boeuf Restoration (general FS BLH-Wet)</b>	221.9 acres BLH-Wet enhancement
	<b>Lake Boeuf Restoration (general FS Swamp)</b>	319.9 acres swamp enhancement
<b>Previously Approved</b>	<b>Jean Lafitte Restoration (general FS Fresh Marsh)</b>	138.0 acres Fresh Marsh creation
	<b>Jean Lafitte Restoration (Park/404c FS BLH-Wet)</b>	8.2 acres of BLH-wet creation
	<b>Jean Lafitte Restoration (Park/404c FS Swamp)</b>	106 acres of swamp enhancement
	<b>Jean Lafitte Restoration (Park/404c Fresh Marsh)</b>	20.4 acres of fresh marsh creation

## 2. Constructible Feature

Avondale Gardens: This project would involve enhancing an existing degraded BLH habitat as mitigation for general PS BLH-Dry impacts. The proposed feature is located on the Westbank of Jefferson Parish, Louisiana near Bayou Segnette State Park. Two locations have been identified within the project area, BLH West and BLH East (Appendix A-5 of the SPIER).

Only one of the potential sites would be used for the project. Currently, the preferred and anticipated site for project implementation is BLH West. However, if conditions at the BLH West site are not favorable for construction and/or for the long-term success and sustainability of the project or if negotiations with landowner(s) favor purchase of the East site, the project may be implemented at the BLH East site. At the selected site, approximately 920 acres of predominantly invasive and nuisance species would be eradicated and the area cleared and grubbed then planted with native, high quality tree and shrub species. Large native trees and shrubs would be preserved during the mechanical clearing process to the greatest degree practicable.

## 3. Programmatic Features

a. Lake Boeuf FS BLH-Wet Restoration Project: **This project was programmatically evaluated in PIER 37.** It would involve restoring BLH-Wet forests

within existing agricultural fields as shown in appendix A of the SPIER. The project would be located in Lafourche Parish, just north of Bayou Lafourche and roughly 2 miles west of Raceland. Five BLH-Wet restoration features are proposed. These proposed restoration features would encompass a total of 221.9 acres. Based on a review of the existing LiDAR data, current on site elevations range from 2.2 ft to 4.5 ft. As such, the majority of the project footprint would need to be degraded to obtain the desired target grade elevation of +2.0 feet to +2.5 feet. Further description of this proposed project is contained in PIER #37.

b. Lake Boeuf FS Swamp Restoration Project: **This project was programmatically evaluated in PIER 37.** It would involve restoring agricultural fields, pastures, rangelands, and agricultural ponds (detention areas) to native swamp habitats. Ten swamp restoration features are proposed. These proposed restoration features would encompass a total of approximately 319.9 acres, and would be located in Lafourche Parish, just north of Bayou Lafourche and roughly 2 miles west of Raceland (appendix A of the SPIER). Based on a review of the existing LiDAR data, current on site elevations range from 1.5 ft to 3.5 ft. As such, the majority of the project footprint would need to be degraded to obtain the desired target grade elevation of +1.1 feet to +1.8 feet. Further description of this proposed project is contained in PIER #37.

As the programmatic projects are considered not implementable, CEMVN is evaluating other options to satisfy the mitigation obligations for FS BLH-Wet and FS Swamp, including evaluating new sites and projects and/or previously-identified mitigation projects. Any changes to the proposed mitigation plan would be fully evaluated in a future NEPA document.

4. **Factors Considered in Determination.** CEMVN has assessed the impacts of the no action alternative and the proposed modified mitigation plan on significant resources in the project area, including air quality, water quality, aquatic habitat, fish and wildlife, wetlands, threatened and endangered species, recreation resources, aesthetic resources, noise, cultural resources, farmland, and socioeconomic resources and the probability of encountering HTRW.

The CEMVN has assessed the environmental impacts of the proposed action and has determined that the proposed action would have the following impacts:

No impacts to water quality, aquatic habitat, fisheries, wetlands, threatened and endangered species, recreational resources, farmland or socioeconomic resources.

Minimum and short-term impacts to air quality, noise, wildlife and aesthetics.

Long term beneficial impacts to wildlife and aesthetics.

The stipulations of the National Historic Preservation Act Programmatic Agreement executed on June 18, 2013 would be followed. As individual project features are developed, survey strategies and the Area of Potential Effect will be coordinated with

the LA State Historic Preservation Officer, federally-recognized Indian tribes, and other interested parties as required by the Programmatic Agreement. Identified cultural resources that are determined to be eligible for listing or are listed on the National Register of Historic Places would be avoided. If avoidance is not possible, mitigation strategies would be developed in accordance with the stipulations of the Programmatic Agreement.

Low probability of encountering HTRW or petroleum products.

Future NEPA document(s) will identify and evaluate other options to satisfy the mitigation obligations for the BLH-Wet and swamp impacts, potentially including new sites and projects and/or previously-identified mitigation projects. That NEPA document will assess the impacts of those identified options.

5. **Environmental Design Commitments.** US Fish and Wildlife Service (USFWS) comments and recommendations from the Coordination Act Report are addressed in the Final SPIER #37 in Section 8.2.

The CEMVN elected to fulfill its obligations under Section 106 of the National Historic Preservation Act of 1966, as amended, through the development and implementation of a Programmatic Agreement, which was executed 18 June 2013. CEMVN will comply with stipulations contained in the Programmatic Agreement through coordination with the Louisiana State Historic Preservation Officer, the Advisory Council on Historic Preservation, and Federally recognized Indian tribes.

Based on CEMVN's evaluation of the final array of projects as set forth in the SPIER, CEMVN determined that the above-described constructible and programmatic features are the environmentally preferable projects to compensate for WBV HSDRRS habitat losses. The SPIER evaluates the portion of the recommended plan to compensate to compensate for impacts to PS BLH-Dry habitat. However, evaluation of the programmatic features is ongoing. CEMVN is evaluating other options to satisfy the mitigation obligations for BLH-Wet and swamp habitat, including evaluating new sites and projects and/or previously-identified mitigation projects. Any changes to the proposed mitigation plan would be fully evaluated in a future NEPA document.

6. **Agency & Public Involvement.** Draft SPIER #37a, which evaluated the impacts of the proposed actions, was released for 30 day public review on 14 Jan 2016. The comment period ended on 16 Feb 2016. During this public comment period, comments were only received from the Federal and state resource and governmental agencies; no comments from the public were received.

Various governmental agencies, NGOs, and citizens were engaged throughout the preparation of PIER #37 and SPIER #37a. Agency staff from USFWS, National Marine Fisheries Service (NMFS), US Environmental Protection Agency (EPA), US Geologic Survey (USGS), National Park Service (NPS), Louisiana Department of Natural Resources (LDNR), Louisiana Department of Wildlife and Fisheries (LDWF), and Louisiana Department of Environmental Quality (DEQ) were part of an interagency team

that has and will continue to have input throughout the HSDRRS planning process (Appendix I).

There have been over 200 public meetings since March 2007 about proposed HSDRRS work. Issues relating to mitigation projects identified in PIER #37 and in draft SPIER #37a have been discussed at some of these public meetings. If requested during future NEPA public comment periods, public meetings will continue throughout the mitigation planning process.

*Draft SPIER #37a Public Review Period*

- Agency Comments and Responses (Appendix L)
  - a. LDWF- Comment letter dated 5 Feb 2016  
1 comment
  - b. CPRAB – email dated 15 Feb 2016  
6 comments
  - c. LDEQ- email dated 10 Feb 2016  
Standard comments
  - d. FEMA- letter dated 26 Jan 2016  
Standard comments

CEMVN will continue to closely coordinate with the resource agencies and the NFS in the development of feasibility level of design for the programmatic features. CEMVN will release additional NEPA documents evaluating the design details, impact analysis and environmental compliance for the programmatic features.

7. **Decision.** The CEMVN Environmental Planning Branch has assessed the potential environmental impacts of the proposed action described in the Final SPIER #37a and the “no action” alternative and has reviewed the comments received during the public review period for Draft SPIER #37a.

In accordance with the environmental considerations discussed above, the public interest will be best served by implementing the constructible portions of the WBV HSDRRS Mitigation TSMMPA: the enhancement of 920 acres at Avondale Gardens to fulfill the PS BLH-Dry impact mitigation requirements. Additionally, CEMVN will conduct further evaluation and agency coordination for the programmatic features of the TSMMPA.

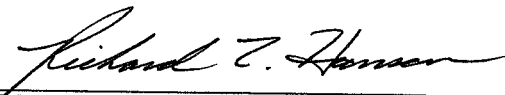
CEMVN will prepare future NEPA documents to further evaluate the programmatic features of the proposed mitigation plan. CEMVN will also prepare a Comprehensive Environmental Document (CED) that will contain additional information related to the Final HSDRRS Mitigation Plan as well as a cumulative impacts analysis, and any additional information that addresses outstanding data gaps in any of the IERs.

I have reviewed the WBV HSDRRS SPIER #37a and have considered agency recommendations and comments received from the public. I find the proposed

mitigation plan to implement a BLH-Dry mitigation feature at Avondale Gardens will allow CEMVN to fully offset the BLH-Dry habitat losses caused by the construction of the WBV HSDRRS as directed by the Water Resources Development Acts of 1986 and 2007 (Public Law 99-662 §906 and Public Law 110-114 §2036) and other laws.

The plan is justified and in accordance with environmental statutes. It is in the public interest to enhance 920 acres of BLH-Dry habitat to compensate for losses to that habitat and to perform the additional evaluations of the remaining features of the proposed modified mitigation plan as described in this document and in SPIER #37a.

4 March 2016  
Date

  
Richard L. Hansen  
Colonel, U.S. Army  
District Commander