



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVE
NEW ORLEANS LA 70118-3651

August 12, 2021

Mr. Bren Haase
Coastal Protection and Restoration Authority
150 Terrace Avenue
Baton Rouge, LA 70802

Dear Mr. Haase:

The following is a response to your January 31, 2020 comment on the draft Environmental Assessment (EA) 576.

Compensatory mitigation to offset habitat impacts due to construction of the West Shore Lake Pontchartrain (WSLP) Project was described previously in the 2014 WSLP Environmental Impact Statement (EIS) and in EA 576 completed in 2020. EA 576 addressed compensatory mitigation for habitat impacts associated with each of the U.S. Army Corps of Engineers (USACE), Mississippi Valley Division, New Orleans District (CEMVN) Bipartisan Budget Act (BBA) of 2018-funded flood risk reduction projects (WSLP Project, Comite River Diversion Project, and the East Baton Rouge Parish Watershed Flood Risk Management Project). The Finding of No Significant Impact for EA 576 was signed by the CEMVN District Commander on April 4, 2020. EA 576 recommended purchase of mitigation bank credits and construction of new swamp habitat to compensate for swamp habitat that will be lost due to construction of the WSLP Project. The WSLP Project compensatory mitigation plan approved through EA 576 and its FONSI is CEMVN's current WSLP Approved Plan (AP) to compensate for WSLP Project swamp impacts.

On January 31, 2020, the Coastal Protection and Restoration Authority (CPRA) submitted a letter to the CEMVN requesting that the Maurepas Swamp Project (MSP) be considered as a compensatory mitigation project to mitigate for unavoidable impacts to swamp habitat from construction of the WSLP Project. The CEMVN assembled a Project Delivery Team (PDT) to assess the viability of the MSP as a potential compensatory mitigation alternative for the WSLP Project. The PDT included CEMVN, CPRA, U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service, U.S. Environmental Protection Agency, U.S. Geological Survey, Louisiana Department of Wildlife and Fisheries, and the Louisiana Department of Natural Resources. On February 6, 2020, the PDT began work to align the MSP's components with Federal mitigation laws and policies to determine whether it could be considered a viable mitigation alternative.

In a letter dated July 2, 2020, the USFWS stated that rough-draft Wetland Value Assessments (WVAs) indicated that the MSP Alternative would be able to provide sufficient benefits to compensate for WSLP Project swamp impacts. On March 2, 2021, the USFWS completed a

more thorough WVA that also indicated that the MSP Alternative would be able to compensate for WSLP Project swamp impacts.

USACE policy requires an incremental cost analysis for the different mitigation alternatives and requires identification of the least cost plan. As of the date of this letter, there are three alternatives being considered: No Action Alternative (BBA Alternative; herein called EA 576 AP), Alternative 1 (MSP-1: Public and Private Lands), and Alternative 2 (MSP-2: Public Land Only). To compare the MSP Alternatives against the EA 576 AP, costs for the MSP Alternatives and the previously identified EA 576 AP were assessed. During this process, anticipated costs for the various components of the MSP Alternatives were estimated and were compared against the EA 576 AP anticipated costs. The state's preferred alternative (Alternative 2) costs are much higher than the anticipated costs to implement the No Action Alternative.

Consequently, the state's preferred alternative (Alternative 2) is unlikely to meet USACE compensatory mitigation cost requirements compared to EA 576 AP in spite of being able to provide sufficient benefits to compensate for WSLP Project swamp impacts. If you have further questions regarding this matter, please do not hesitate to contact Mr. Constance.

Troy G. Constance
Chief, Regional Planning and
Environment Division South
U.S. Army Corps of Engineers