



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ORLEANS DISTRICT
7400 LEAKE AVENUE
NEW ORLEANS, LOUISIANA 70118-3651**

DRAFT FINDING OF NO SIGNIFICANT IMPACT (FONSI)

**U.S. ARMY CORPS OF ENGINEERS,
NEW ORLEANS DISTRICT
ATCHAFALAYA BASIN PROTECTION LEVEES, LEVEES WEST OF BERWICK
BAYOU, EAST WEST LEVEE TIE-IN
Saint Mary Parish, Louisiana
EA 510-202-00-B2P-1781691684**

The U.S. Army Corps of Engineers (USACE), Mississippi River Valley Division, Regional Planning and Environment Division South (RPEDS), has prepared this Environmental Assessment (EA) for the New Orleans District (CEMVN) to evaluate potential impacts of a contractor-furnished borrow area to be utilized for constructing an approximately 0.70 mile levee along the Gulf side of the Gulf Intracoastal Waterway (GIWW). It traverses under the LA 317 bridge and ties in two sides of Ellerslie that are above the design levee elevation for this reach. The borrow area and the proposed levee work are both in the vicinity of St. Mary Parish, Louisiana. This EA was completed in accordance with the NEPA (42 U.S. Code Part 4321, et seq.) and was informed by new administration policies and the Department of War NEPA Implementing Procedures published June 30, 2025, and updated April 30, 2026, in Version 1.2. This EA provides sufficient information on the potential adverse and beneficial environmental effects to allow the District Commander, USACE, and CEMVN, to make an informed decision on the appropriateness of an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI).

The levee section on the east side Hwy 317 will run alongside a 16-foot-wide existing road leading to the plant located just east of the project which is to be maintained. A ditch running along the east side of the project that ties into an existing ditch at the end of the project will also be included. In addition, there are two points along the project which will have new or realigned ramps for continued access. The project is entirely levee enlargement; no floodwalls or other elements will be required for this project.

The Limit of Work for the proposed project is from approximately baseline B/L Station - 0+77.58 West Ellerslie to B/L Station 27+40 East Ellerslie. Approximately 32,500 cubic yards of earthen material will be required to raise the levee height to the design grade of approximately +10.0 feet North American Vertical Datum (NAVD). The existing levee has an average grade deficiency ranging in 2.0 feet and will be brought to an elevation range of 10 to 15 ft. NAVD88. At the crown, the levee will slope down at 1V:4H until reaching the existing ground. Earthen material would be obtained from a proposed 44.5-acre borrow area.

The project site will be accessed via Highway 317 and Rosebud Road on the western side. The east side can be accessed by an unnamed shell road of Highway 317. The site

is also accessible by the GIWW. The proposed borrow area is located on Cotten Rd., south of Patterson, Louisiana, approximately 19 miles from the levee project

and will be located The proposed 0.20-acre staging area is within the existing right-of-way. and will be used by the contractor for field trailers and stockpiling of construction material. Any site work performed by the contractor to establish the staging area would be removed upon project completion and would be restored by the contractor to the condition in which the site existed prior to use by the contractor.

In addition to the Recommended plan a “No Action” alternative was also evaluated.

For the Recommended plan the potential effects were evaluated. A summary of the potential effects is listed in Table 1:

Table 1: Summary of Potential Effects of the Recommended Plan

	Insignificant effects	Insignificant effects as a result of mitigation	Resource unaffected by action
Aquatic resources/Fisheries	☐	☐	☒
Wetlands	☐	☒	☐
Wildlife habitat	☒	☐	☐
Threatened/Endangered Species – Critical Habitat	☒	☐	☐
Cultural resources	☒	☐	☐
Water quality	☒	☐	☐
Visual Resources (Aesthetics)	☒	☐	☐
Recreational resources	☒	☐	☐
Air Quality	☒	☐	☐
Hazardous, toxic & radioactive waste	☒	☐	☐
Tribal trust resources	☒	☐	☐

All practicable and appropriate means to avoid or minimize adverse environmental effects were analyzed and incorporated into the Recommended Plan

The Recommended Plan will result in unavoidable adverse impacts to approximately 4.80 acres of forested wetland resources classified as BLH wetlands. The associated net loss of Average Annual Habitat Units (AAHUs) that would result from the proposed action condition would be -2.98 AAHUs. Bottomland hardwood habitat would be cleared and filled for the project to construct a new levee. A physical visit was conducted on October 07, 2025. On December 19, 2025, personnel from the U.S. Fish and Wildlife Services (USFWS) provided a preliminary estimate for work induced impacts to forested wetland

habitats using the Wetland Value Assessment (WVA) model for BLH, which calculated the project's induced impacts to wetland habitats. The WVA methodology is a quantitative habitat-based assessment methodology developed for use in determining wetland benefits or losses. The WVA quantifies changes in wildlife habitat quality and quantity that are expected to result from a proposed project. The results of the WVA are measured in Annualized Habitat Units (AHUs). The WVA methodology provides an estimate of the number of acres benefited or lost due to the project's construction. The WVA model indicates 2.98 AHUs would be lost due to the project's construction. The impacts to the acres of bottomland hardwood and cypress swamp are unavoidable because of the foundation needed for the design levee elevation for this reach. The proposed borrow area will be located in an agriculture field and, therefore, will have no effect to the BLH habitat.

Pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended, USACE has determined that "no effect" on listed, threatened, or endangered species or their critical habitat that are known to occur in areas that would be disturbed by the proposed work. Given the absence of preferred habitats for these species, their presence in the project area is highly unlikely. If a site lacks the specific biological requirements, native vegetation types, or structural microhabitats necessary for a proposed listed species, the project area fails to provide a suitable habitat for the species' survival and reproduction. Application for Information for Planning and Consultation (IPaC), developed by the U.S. Fish and Wildlife Service (USFWS), resulted in a determination of "no effect" for the West Indian Manatee on December 18, 2025. The USFWS Coordination Act Report dated January 20, 2026, concluded the "proposed project is not expected to impact any federally listed threatened or endangered species.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, USACE determined that no historic properties would be affected by this undertaking. The current project, including borrow, was coordinated for a finding of No Adverse Effect to Historic Properties, in a letter to SHPO and Tribes dated July 8, 2025. Concurrence for this determination was received in writing by the Louisiana State Historic Preservation Officer (SHPO) on August 25, 2025. No other consulting parties responded within the regulatory consultation timeframe as specified per 36 CFR 800.4(d)(1)(i) and 36 CFR 800.5(c)1. The current project has chosen a different borrow source than was coordinated in July and August 2025, and a coordination letter concluding No Historic Properties Affected for this borrow source was sent to SHPO and Tribes on May 22, 2026. No letters of response were received. No impact to known or unknown cultural resources is expected to occur by the proposed action. This project would be subject to the standard change in scope of work, unexpected discovery, and unmarked human burial sites act provisions.

Pursuant to the Clean Water Act (CWA) of 1972, as amended, A CWA Section 404(b)(1) public notice was distributed to the public and comments were solicited on August XX, 2026. All comments received during this period, along with the signed Section 404(b)(1) evaluation, will be included in the final EA. Additionally, a Water Quality Certificate (WQC

251211-01/AI 249632 CER 20250001) was issued by the LDEQ in a letter dated January 13, 2026 (Appendix B).

Pursuant to the Coastal Resources Management Act of 1978, as amended, the Louisiana Department of Conservation and Energy (LDCE) concurred with the USACE determination that the project as proposed is consistent with the Louisiana Coastal Resources Program. LDCE issued an updated Coastal Zone Consistency in a letter dated June 09, 2026 (C20250109 Mod 01).

The following environmental design commitments are an integral part of the proposed action:

- a) The Proposed Action would result in unavoidable adverse impacts to approximately 4.80 acres of forested wetland resources classified as bottomland hardwood wetlands. The associated net loss that would result from the proposed action condition would be 2.98 AAHUs. The loss of the bottomland hardwood habitat with the proposed East West Levee Tie-In project, when taken in context of similar wetland losses addressed by the 1982 FEIS, are more than adequately compensated for by the aforementioned mitigation plan in the EA. Therefore, no additional mitigation is necessary.
- b) If the Proposed Action is changed significantly or is not implemented within one year, USACE would reinitiate consultation with the USFWS.
- c) 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 finds or affected property. The contractor would ensure that the discovery or unexpected effects are secured and stabilized, as necessary, and access to the area is restricted. The contractor shall inform their Operations Division contacts at USACE, who would in turn contact Planning Division (PD) staff. The contractor would not proceed with work until USACE PD completes consultation with the Louisiana SHPO, and others, as appropriate.
- d) Louisiana Unmarked Human Burial Sites Preservation Act: If human remains 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 (25 U.S.C. §3001-3013, 18 U.S.C. § 1170) and the Archaeological Resources Protection Act of 1979 (16 U.S.C. §470aa – 470mm).

e) The Fish and Wildlife Service, in accordance with the Fish and Wildlife Coordination Act, made the following recommendations in their report:

1. The USACE shall fully compensate for any unavoidable losses to BLH caused by project implementation. That compensatory mitigation shall be “in-kind” and within, or as close as possible to, the same watershed as the project impacts.
2. The Service recommends that the unimproved, elevated road, within the project area be utilized as part of the proposed levee to minimize impacts to bottomland hardwoods and associated fish and wildlife species.
3. Forest clearing associated with project features should be conducted during the fall or winter, when practicable, to minimize impacts to nesting migratory birds.
4. Post construction, the levee should be seeded with native species.
5. The Service recommends that the USACE contact the Service and the LDWF for additional ESA section 7 consultation if: 1) the scope or location of the proposed project is changed significantly, 2) new information reveals that the action may affect listed species or designated critical habitat, 3) the action is modified in a manner that causes effects to listed species or designated critical habitat, or 4) a new species is listed or critical habitat designated.

The USACE CEMVN has fully considered the recommendations provided by the USFWS. Responses are included within Section 7 of the EA.

USACE has evaluated the potential environmental impacts of the proposed action in EA #510 (incorporated herein by reference). The contractor-furnished borrow area has undergone a separate environmental review process (permitted by CEMVN Regulatory Division under permit number MVN-2018-00726-WPP) and no further detailed environmental analysis of the borrow area itself is required, as all necessary environmental protections are already in place and regulated under the existing permit. The proposed action has been found to have an overall beneficial effect on the human environment by insuring adequate flood protection along the flood prone GIWW. While there would be impacts to BLH wetland resources, these impacts would be fully mitigated in a manner that would provide comparable wildlife habitat value to the areas impacted. Therefore, the overall result of the proposed work would result in a slight deficit of wetland resources.

I certify that CEMVN has considered the relevant factors mandated by NEPA and that this EA represents CEMVN’s good-faith effort to prioritize documentation of the most

important considerations required by the statute within the congressionally mandated page limits. This prioritization reflects CEMVN's expert judgment, and any considerations addressed briefly or left unaddressed were, in CEMVN's judgment, comparatively not of a substantive nature that meaningfully informed the consideration of environmental effects and the resulting decision on how to proceed. I have reviewed EA #510 and have considered public and agency comments and recommendations. Based on the assessment conducted in EA #510, which is attached hereto and made a part hereof, and the implementation of the environmental commitments listed above, I have determined that the proposed action would have no significant impact on the human environment. Therefore, an Environmental Impact Statement will not be prepared.

DRAFT

Date

SCOTTY M. AUTIN
Colonel, U.S. Army
District Engineer