



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

Regional Planning and Environment
Division South
Environmental Planning Branch

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

ENVIRONMENTAL ASSESSMENT #597

MORGANZA TO THE GULF PROJECT SURVEYS AND BORINGS ANALYSIS TERREBONNE AND LAFOURCHE PARISHES, LOUISIANA

The U.S. Army Corps of Engineers (USACE), Mississippi River Valley Division (MVD), Regional Planning and Environment Division South, (RPEDS), New Orleans District, (CEMVN), has prepared Environmental Assessment #597 ([EA #597](#)) titled "Morganza to the Gulf Project, Surveys and Borings Analysis" to evaluate the potential impacts from the proposed geotechnical investigations, including surveys, borings, and cone penetration tests, (CPTs), which are necessary to investigate geophysical and environmental conditions over the Morganza to the Gulf (MTG) Project area. The areas to be investigated are within Terrebonne Parish and a portion of Lafourche Parish.

The data from these activities is necessary to facilitate the design of the levees and structural features, including but not limited to drainage structures and floodgates. To inform the design of the authorized project, the proposed geotechnical investigations would occur within the authorized alignment as well as in areas that are being considered as potential modifications to the authorized alignment.

Construction of the Morganza to the Gulf of Mexico, Louisiana, a hurricane and storm damage reduction project, is authorized by Section 1001 (24) of the Water Resources Development Act of 2007 (WRDA 2007), Public Law (PL) 110-114, at a total cost of \$886.7 million. In accordance with the Post Authorization Change Report and Revised Programmatic Environmental Impact Statement (PACR/RPEIS) dated 2013, the project was reauthorized by Section 7002(3) of the Water Resources Reform and Development Act of 2014 (WRRDA 2014).

The project is designed to provide hurricane and storm damage reduction benefits while ensuring navigational passage and tidal exchange.

Description of the Proposed Action: The proposed geotechnical analysis (surveys and borings) described in [EA #597](#) would take place in the following project locations:

GIWW East Floodgate

The Gulf Intracoastal Waterway (GIWW) East Floodgate project area is at Mile 33.6 of the GIWW, between the Mississippi River and the Gulf of Mexico, in Lafourche Parish, Louisiana. The town of Larose is approximately 0.1 miles southeast of the project area.

GIWW East T-Wall and Levee Alignment

The GIWW East T-Wall and Levee Alignment project area is located at Mile 33.6 of the GIWW, approximately 1.5 miles north of the intersection of the GIWW and Bayou Lafourche, Louisiana.

GIWW West Floodgate

The GIWW West Floodgate project area is located near Mile 66.0 of the GIWW, between the Mississippi and Atchafalaya River basins, within Terrebonne Parish in southeastern Louisiana, and is approximately 5 miles southwest of the city of Houma, Louisiana.

Reach A Levee - South of GIWW

The Reach A Levee – South of the GIWW project area is located within Terrebonne Parish in southeastern Louisiana between the Mississippi and Atchafalaya River basins and is positioned on a North-South path between the GIWW and Theriot, Louisiana.

Reach A Levee - North of GIWW

The Reach A Levee – North of the GIWW project area is located within Terrebonne Parish in southeastern Louisiana between the Mississippi and Atchafalaya River basins and is positioned on a North-South path between the GIWW and Bayou Black, Louisiana.

Minors Canal Floodgate

The Minors Canal Floodgate project area is located within Terrebonne Parish, Louisiana, between the Mississippi and Atchafalaya River basins and is positioned along the Minors Canal approximately 1.0 mile north of the intersection with the navigable GIWW near mile marker 66.0 and just north of the Mandalay National Wildlife Refuge. The town of Houma, Louisiana is approximately 4 miles northeast of the project area.

Minors Canal Floodgate (Alternate Alignment)

The Minors Canal Floodgate (Alternate Alignment) project area is located within Terrebonne Parish in southeastern Louisiana between the Mississippi and Atchafalaya River basins and is positioned across Minors Canal at the intersection with the GIWW near waterway mile marker 66.0 and just north of the Mandalay National Wildlife Refuge. The town of Houma, Louisiana is approximately 4 miles northeast of the project area.

Shell Canal East Floodgate

The Shell Canal East Floodgate project area is located within Terrebonne Parish, Louisiana, between the Mississippi and Atchafalaya River basins and the structure would be positioned in the canal between Shell Oil Pipeline Company and Empire Midstream approximately five miles southeast of Gibson, Louisiana.

Reach F Levee

The Reach F Levee project area is located within Terrebonne Parish in southeastern Louisiana between the Mississippi and Atchafalaya River basins. The project levee is approximately four miles long and is situated on a north-south track along the Houma Navigation Channel beginning at Falgout Canal Road on the north end. The city of Houma, Louisiana is approximately 12 miles to the north.

Reach J2 Levee

The Reach J2 Levee project area is located within Terrebonne Parish in southeastern Louisiana between the Mississippi and Atchafalaya River basins and approximately 2.0 miles south of the city of Montegut, Louisiana.

L2L Reach 1 Levee

The L2L Reach 1 project area is located within Lafourche Parish in southeastern Louisiana between the Mississippi and Atchafalaya River basins and is positioned just North of Louisiana Highway 1 between the cities of Lockport, Louisiana and Larose, Louisiana.

Borings and Cone Penetration Tests

Borings and Cone Penetration Tests (CPTs) are needed to facilitate the design of the levees and accompanying structural features (i.e., drainage structures, floodgates, etc.). A CPT consists of using hydraulic pressure to push an approximate 1.5-inch (in) diameter, cone tipped rod into the ground. The CPTs would be performed to an approximate depth of between 80-feet (ft) and 125-ft below the ground surface using an electronic piezocone penetrometer with a 10-centimeter (cm), 2 cross-sectional area. The holes from this process would be approximately 1.50-in diameter with no material removal and would close on their own with no adverse impacts to the existing soil.

A soil boring is normally a 5-in diameter cylinder of soil (can be 3-in diameter for shallow borings for access road design) acquired by using an instrument called a Thin Wall Shelby Tube which is attached to a rotating shaft and functions like a drill but has a hollow center. The tube would be rotated into the ground 3-ft at a time and then retrieved and the undisturbed soil sample removed. All 5-in soil borings would be drilled to an approximate depth of between 80-ft and 180-ft below the existing ground surface with a rotary drill rig. The holes created by the borings would be backfilled with a Bentonite clay slurry to return the soil to its pre-drilled volume.

Surveys and Survey Methods

Survey protocol would follow the guidelines of the least invasive method(s) necessary to complete the task. For the necessary survey points in any marsh areas, survey data would be collected from pre-determined transects within the work area and would be primarily accessed by foot or airboat. If the data cannot be obtained with either of these methods, the surveyors would use an 8-ft wide Marsh Master vehicle to reach the sites.

USACE, or a contractor for USACE, would perform the survey work at the proposed locations. The surveys are topographical and would capture the features of the landscape and any nearby utilities. The surveys include identifying the centerline of the levees and/or structures and using established vertical (elevation) and horizontal datums along with high tech GPS equipment to create 2D images with specific locations and shapes which would be used to design and build the flood risk reduction structures.

Environmental surveys and Hazardous, Toxic and Radioactive Waste (HTRW) assessments would be performed by two- to four-person crews that would traverse the area. Environmental surveys would include vegetative surveys, such as plant identification and measurements. HTRW assessments would include traversing the area to identify potential HTRW concerns. If any suspected HTRW concerns are noticed, soil and/or water samples may be taken. Small vehicles (such as all-terrain vehicles or similar small 4x4s), small boats, air boats, and marsh buggies would be allowed to operate within the approximately 600-ft ROW surrounding the clearing and grubbing corridor.

Work Zones

Marine work zones would be confined to the Class 70 Elevating Boat. Marsh work zones would include the use of an airboat for surveys and would be confined to the track and footprint of the Cargo Buggy but may extend approximately 30-ft beyond the back of the Cargo Buggy, during drilling of soil borings. Work zones for the CPT rig mounted on the Cargo Buggy would be confined to the Cargo Buggy. For borings and CPTs, the Cargo Buggy would track as directly as possible from location to location, minimizing impact to existing marsh.

Factors Considered in Determination

CEMVN has assessed the impacts of the "no action" and the proposed action (proposed project) on important resources in the project area including aquatic resources/fisheries; wildlife; Essential Fish Habitat; threatened, endangered, and protected species; water quality; air quality; cultural resources; recreational resources; visual resources (aesthetics), and noise ([Table 1](#)).

There are adverse impacts to wetland resources that require compensatory mitigation to reduce the impacts to less than significant. Because the proposed action (surveys and borings analysis) would provide data required to assist in the design of the overall MTG hurricane and storm damage risk reduction levee alignment, it is the environmentally preferable alternative.

Table 1: Impacted Resources in and Near the Project Area

Relevant Resource	Impacted	Not Impacted
Aquatic Resources/Fisheries	X	
Wetlands	X	
Essential Fish Habitat	X	
Wildlife	X	
Threatened and Endangered Species	X	
Cultural		X
Recreational		X
Visual (Aesthetics)		X
Air Quality	X	
Water Quality	X	
Noise	X	
Environmental Justice		X
HTRW		X

A mitigation plan has been developed to offset impacts to wetland resources to less than significant impacts. Efforts taken to avoid, minimize, rectify and or reduce habitat impacts for the proposed action still resulted in unavoidable impacts to fish and wildlife resources. In compliance with Implementation guidance for Section 1163 of the WRDA of 2016, certified Wetland Value Assessment Models for swamp, BLH and Fresh/Intermediate Marsh were run to quantify the impacts requiring mitigation. The results of these models produced Average Annual Habitat Units (AAHUs) for each impacted habitat type that would require compensatory mitigation ([Table 2](#)). All forested impacts would be mitigated in the same river basin where the impacts occurred (Terrebonne). All tidal marsh impacts would be mitigated within the Deltaic Plain. All impacts incurred within the LA coastal zone would be mitigated within the LA coastal zone.

Table 2: Compensatory Mitigation Requirement (AAHUs)

Reach	Swamp		BLH		Marsh	
	Acres	AAHU	Acres	AAHU	Acres	AAHU
Reach A*	0.793	-0.240	0.679	-0.040	12.468	-6.130
Reach F	0	0	0	0	0	0
Reach J2	0	0	0	0	0	0
L2L – Reach 1	0	0	0	0	2.02	-1.14
GIWW East Floodgate	0	0	0	0	2.30	-1.00
Shell Canal Floodgate	0	0	0.176	-0.040	0.714	-0.31
Total	0.793	-0.240	0.855	-0.080	17.502	-8.580

The purchase of in-kind mitigation bank credits will be pursued to satisfy the mitigation requirement. If sufficient in-kind mitigation bank credits are not available or excessively

expensive at the time of solicitation, the Corps will evaluate mitigation sites that could be constructed to compensate for habitat impacts.

Compliance with Environmental Laws and Regulations

Clean Air Act of 1972

The Clean Air Act sets goals and standards for the quality and purity of air. It requires the Environmental Protection Agency to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. Much of the project area is in Terrebonne Parish, Louisiana, with portions located in Lafourche Parish, Louisiana. These parishes are currently in attainment of NAAQS. A general conformity determination is not required.

Clean Water Act of 1972 – Section 401, Section 402, and Section 404

The Clean Water Act (CWA) sets and maintains goals and standards for water quality and purity.

Section 401 requires a Water Quality Certification (WQC) from the Louisiana Department of Environmental Quality (LDEQ) that a proposed project does not violate established effluent limitations and water quality standards. The application for the State WQC was provided to the LDEQ on 22 September 2023 in accordance with LAC 33:IX. On 30 November 2023, LDEQ provided USACE WQC 231130-0 for the proposed geotechnical analysis work described in [EA #597](#).

As required by Section 402 of the CWA, Louisiana Pollution Discharge Elimination System (LPDES) permit coverage for the proposed surveys and borings activities would be obtained prior to construction via the General Permit for Discharges of Storm Water from Construction Activities Five Acres or More from the LDEQ.

Section 404 of the CWA requires authorization from the Secretary of the Army, acting through the Corps of Engineers, for the discharge of dredged or fill material into all waters of the United States, including wetlands. No comments were received during the 30-day review period. The final 404(b)(1) evaluation, stating the proposed disposal site for discharge of dredged or fill material complies with the Section 404(b)(1) guidelines, was signed on 5 March 2024.

Coastal Zone Management Act of 1972

The Coastal Zone Management Act requires that "each federal agency conducting or supporting activities directly affecting the coastal zone shall conduct or support those activities in a manner which is, to the maximum extent practicable, consistent with approved state management programs." The USACE coordinated the proposed action with the Louisiana Department of Natural Resources (LDNR). On 29 February 2024, the LDNR responded with determination C20230151 stating that the project, as proposed in the application, is consistent with the Louisiana Coastal Resources Program.

Endangered Species Act of 1973

The Endangered Species Act is designed to protect and recover threatened and endangered (T&E) species of fish, wildlife and plants. A biological assessment was prepared and submitted to National Marine Fisheries Service (NMFS) on 17 October 2023 and USFWS on 17 November 2023, as part of on-going coordination with NMFS and USFWS for listed T&E species, including the West Indian manatee, Gopher tortoise, Ringed map turtle, Red-cockaded woodpecker, Louisiana quillwort, Eastern black rail, migratory shorebirds, and species of management concern (i.e. rare and very rare species) that are known to occur or are believed to occur within the area.

In a letter dated 22 February 2024, USFWS concurred with USACE's conclusions that the proposed action is not likely to adversely affect the ESA species listed, and/or designated critical habitat.

In an email dated 17 October 2023, NMFS acknowledged receipt of the project information and assigned the project tracking number SERO-2023-02587. In a letter dated 21 February 2024, NMFS concurred with USACE's conclusions that the proposed action is not likely to adversely affect the ESA species listed, and/or designated critical habitat.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations dated February 11, 1994

Executive Order 12898 directs federal agencies to: identify and address the disproportionately high and adverse human health or environmental effects of their actions on minority and low-income populations to the greatest extent practicable and permitted by law. No high adverse disproportionate impacts were identified. CEMVN also assessed the potential Environmental Justice impacts to the human environment, including impacts to access roads and to those who live along them and from noise. No impacts are expected.

Executive Order 14008, Tackling the Climate Crisis at Home and Abroad dated 27 January 2021, Sec 219: SECURING ENVIRONMENTAL JUSTICE AND SPURRING ECONOMIC OPPORTUNITY; Office of Management and Budget Memorandum M-21-28

Executive Order 14008, Sec 219, states that agencies shall make achieving environmental justice part of their missions by developing programs, policies, and activities to address the disproportionately high and adverse human health, environmental and climate-related impacts as well as the accompanying economic challenges of such impacts. Impacts to residents in areas of EJ concern from implementation of the proposed action are not expected to occur and therefore a more detailed assessment to determine if impacts are high, adverse, and disproportionate is not warranted.

Executive Order 14096: Revitalizing Our Nation's Commitment to Environmental Justice for All

Executive Order 14096 states that advancing environmental justice will require investing in and supporting culturally vibrant, sustainable, and resilient communities. The surveys and borings activities would facilitate the design of flood risk reduction measures for the authorized project. Further analysis of the direct, indirect and cumulative impacts of the overall MTG project, including impacts to areas of EJ concern, will be addressed in a separate SEIS document.

Executive Order 11988: Floodplain Management

Executive Order 11988 directs federal agencies to reduce flood loss risk; minimize flood impacts on human safety, health, and welfare; and restore and preserve the natural and beneficial values served by flood plains. Agencies must consider alternatives to avoid adverse and incompatible development in the flood plain. If the only practical alternative requires action in the floodplain, agencies must design or modify their action to minimize adverse impacts. Some project features would extend into floodplains; however, the actions would not promote future development within the floodplain that otherwise would not occur.

Executive Order 11990: Protection of Wetlands

Executive Order 11990 directs federal agencies to assess the likely impacts to wetlands associated with any proposed action, This is met through the following: (a) avoid long and short term adverse impacts associated with the destruction or modification of wetlands; (b) avoid direct or indirect support of new construction in wetlands; (c) minimize the destruction, loss or degradation of wetlands; (d) preserve and enhance the natural and beneficial values served by wetlands; and (e) involve the public throughout the wetlands protection decision-making process. The surveys and boring activities were developed to avoid and minimize impacts to wetlands where practicable. All unavoidable impacts would be mitigated as described in Chapter 7 of [EA #597](#).

Fish and Wildlife Coordination Act of 1934

The Fish and Wildlife Coordination Act provides authority for the USFWS involvement in evaluating impacts to fish and wildlife from proposed water resource development projects. It requires that fish and wildlife resources receive equal consideration to other project features. It requires federal agencies that construct, license or permit water resource development projects to first consult with the USFWS, NMFS and state resource agencies regarding the impacts on fish and wildlife resources and measures to mitigate these impacts. Section 2(b) requires the USFWS to produce a Coordination Act Report (CAR) that details existing fish and wildlife resources in a project area, potential impacts due to a proposed project and recommendations for a project. The Final CAR recommendations were received on 21 March 2024. CEMVN has evaluated USFWS recommendations contained in the Final CAR and has agreed to follow the majority of these recommendations, as addressed in Section 7 of [EA #597](#).

Magnuson-Stevens Fisheries Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act, as amended, (MSFCMA) Public Law 104-208, addresses the authorized responsibilities for the protection of Essential Fish Habitat, (EFH), by NMFS, in association with regional fishery management councils. The NMFS has a “findings” with the CEMVN on the fulfillment of coordination requirements under provisions of the Magnuson-Stevens Fishery Conservation and Management Act. In those findings, the CEMVN and NMFS have agreed to complete EFH coordination requirements for federal civil works projects through the review and comment on NEPA documents prepared for those projects. A draft of EA #597 was provided to the NMFS for review and comment during the public comment period. No comments were received from the agency and in an email dated 6 March 2024, NMFS indicated that this concludes our coordination obligations.

Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act

The Migratory Bird Treaty Act of 1918, as amended, (MBTA), is the primary legislation in the United States established to conserve migratory birds. The MBTA prohibits taking, killing, or possessing of migratory birds unless permitted by regulations promulgated by the Secretary of the Interior. The USFWS and the Department of Justice are the federal agencies responsible for administering and enforcing the statute.

The study area is known to support colonial nesting wading/water birds (e.g., herons, egrets, ibis, night-herons and roseate spoonbills) and shorebirds (terns and gulls). USFWS and USACE biologists would survey the proposed action areas before construction to confirm no nesting activity as suitable habitat and the potential for nesting exist within the area. If active nesting exists within 1,000 feet (water birds) or 1,300 feet (shorebirds) of construction activities then USACE, in coordination with USFWS, would develop specific measures to avoid adverse impacts to those species. A detailed nesting prevention plan may be necessary in order to deter birds from nesting within the aforementioned buffer zones of the area footprints in order to avoid adverse impacts to these species. If a nesting prevention plan is necessary, it would be prepared in coordination with USFWS.

The bald eagle was removed from the List of Endangered and Threatened Species in August 2007 but continues to be protected under the Bald and Golden Eagle Protection Act (BGEPA) and the MBTA. During nesting season, construction must take place outside of USFWS and Louisiana Department of Wildlife and Fisheries (LDWF) buffer zones.

USFWS developed the National Bald Eagle Management (NBEM) Guidelines to provide landowners, land managers, and others with information and recommendations to minimize potential project impacts to bald eagles, particularly where such impacts may constitute “disturbance,” which is prohibited by the BGEPA. A copy of the NBEM Guidelines is available at: <https://www.fws.gov/media/national-bald-eagle-management-guidelines>.

During the surveys and borings activities, on-site personnel should be informed of the possible presence of nesting bald eagles in the vicinity of the project boundary, and

should identify, avoid, and immediately report any such nests to the USACE. If a bald eagle nest occurs or is discovered within 660 feet of the activity footprint, then an evaluation must be performed to determine whether the construction and/or operation of the project is likely to disturb nesting bald eagles. An evaluation would be conducted in accordance with the procedures outlined by the USFWS at:

<http://www.fws.gov/southeast/es/baldeagle>.

Following completion of the evaluation, a determination would be made as to whether additional consultation is necessary or not.

National Historic Preservation Act of 1966

Section 106 of the National Historic Preservation Act of 1966, as amended, requires federal agencies to consider the effects of their undertakings on historic properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The procedures in 36 CFR Part 800 define how federal agencies meet these statutory responsibilities. The Section 106 process seeks to accommodate historic preservation concerns with the needs of federal undertakings through consultation among the agency official and other parties with an interest in the effects of the undertaking on historic properties, including the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO) and any Tribe that attaches religious or cultural significance to historic properties that may be affected by an undertaking. The goal of consultation is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties.

CEMVN has concluded that the proposed surveys and borings activities would have no effect on historic properties. A letter was sent to SHPO 3 November 2023, and a response dated 14 December 2023 was received in which SHPO agreed that no known historic properties would be impacted by the proposed borings and surveys activities.

Tribal Consultation

NEPA, Section 106 of the National Historic Preservation Act, Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments), the American Indian Religious Freedom Act, and related statutes and policies have a consultation component. In accordance with CEMVN's responsibilities under NEPA, Section 106, and Executive Order 13175, CEMVN will offer federally recognized Indian Tribes the opportunity to review and comment on the potential of the proposed action to significantly affect protected tribal resources, tribal rights, or Indian lands.

Environmental Commitments

The following commitments relating to recommendations from U.S. Fish and Wildlife Service (Service) are an integral part of the proposed action:

1. Full in-kind compensation (quantified in AAHUs) should be provided for unavoidable net adverse project impacts on forested wetlands, marsh, and associated submerged aquatic vegetation. Since survey and borings impacts will spatially overlap with levee construction impacts for MTG Reach A, in the area of Reach A the Service will consider only requiring mitigation for the survey and boring impacts for TYs prior to levee construction. Any Boring impacts that do not spatially overlap with construction impacts should still be mitigated. The Service and the NMFS should be consulted in the development of plans and specifications for mitigation features.
2. Care should be taken to avoid impacts to bald eagles and their nesting habitat. Prior to construction, the Service and the LDWF recommend that a qualified biologist inspect the proposed work site for the presence of undocumented nests during the nesting season (October through mid-May). If an active or inactive eagle nest is discovered within 1,500 feet of the project footprint, then follow the bald and golden eagle guidelines to determine whether disturbance will occur and/or an incidental take permit is needed. Any take should be reported to this office and the LDWF. Bald eagle nest (active, inactive, or seemingly abandoned) should be protected, and no large trees should be removed. That evaluation may be conducted on-line at:

<http://www.fws.gov/southeast/birds/Eagle/tamain.html>

The Service developed the National Bald Eagle Management Guidelines to provide landowners, land managers, and others with information and recommendations to minimize potential project impacts to bald eagles. A copy of the guidelines is available at:

<https://ecos.fws.gov/ServCat/DownloadFile/36458?Reference=36436>

3. During in-water work in areas that potentially support manatees all personnel associated with the project should be instructed about the potential presence of manatees, manatee speed zones, and the need to avoid collisions with and injury to manatees. All personnel should be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972 and the Endangered Species Act of 1973. Additionally, personnel should be instructed not to attempt to feed or otherwise interact with the animal, although passively taking pictures or video would be acceptable. For more detail on avoiding contact with manatee contact this office. Should a proposed action directly or indirectly affect the West Indian manatee, further consultation with this office will be necessary.
4. Avoid adverse impacts to nesting wading bird colonies through careful design of project features and timing of construction. The Service and the LDWF recommend that a qualified biologist inspects the proposed work site for the presence of undocumented nesting colonies during the nesting season (September 1 through February 15).

5. Avoid adverse impacts to alligator snapping turtle by minimizing disturbance and alteration of nesting habitat, particularly in the nesting season (April-June), including minimizing the removal of log jams in streams.
6. The Service recommends avoiding impacts on the Mandalay National Wildlife Refuge (NWR). If impacts cannot be avoided, impacts will need to be mitigated for on the NWR. Please coordinate all activities with refuge staff and with Mr. Pon Dixon, Project Leader of the Bayou Sauvage Urban NWR Complex (985/882-2014).
7. The impacts to Essential Fish Habitat should be discussed with the NMFS to determine if the project complies with the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), Magnuson-Stevens Act; P.L. 104-297, as amended) and its implementing regulations.
8. Access roads across existing wetlands should be avoided if possible and secondary impacts to wetland hydrology should be prevented or reduced. To avoid changes to hydrology the Service recommends appropriately sized culverts (minimum 24-inch culverts) be installed and maintained every 250 feet across access roads through wetlands with additional culverts placed at stream crossings and drainage features. Alternatively, upon completion of construction activities, access roads should be degraded to restore natural hydrology.
9. The Service recommends that the USACE contact the Service for additional consultation if:
 - a. the scope or location of the proposed project is changed significantly,
 - b. new information reveals that the action may affect listed species or designated critical habitat,
 - c. the action is modified in a manner that causes effects to listed species or designated critical habitat; or
 - d. a new species is listed, or critical habitat designated. Additional consultation as a result of any of the above conditions or for changes not covered in this consultation should occur before changes are made and or finalized.

Public Involvement: A Public Notice was posted on the USACE website announcing the start of the 30-day review and comment period of [EA #597](#), which ran from 23 January 2024 to 22 February 2024. Due to a technical error on the website, the public comment was extended an additional 5 days, and concluded on 27 February 2024. A notice of this extension was placed on the website. There were no comments received during the public review and comment period.

DECISION

The proposed action consists of conducting surveys and borings along 11 locations of the authorized MTG Project. The locations include the following: GIWW – East Floodgate; GIWW – East T-Wall and Levee; GIWW – West Floodgate; Reach A Levee – South of GIWW; Reach A Levee – North of GIWW; Minors Canal Floodgate; Shell Canal East Floodgate; Reach F Levee; Reach J2 Levee; L2L Reach 1.

Borings and Cone Penetration Tests (CPTs) are needed to facilitate the design of the levees and accompanying structural features (i.e., drainage structures, floodgates, etc.). The surveys are topographical and would include identifying the centerline of the levees and/or structures and then using established vertical (elevation) and horizontal datums along with high tech GPS enabled equipment to create 2D images with specific locations and shapes to be used by the contractors to design and build the flood risk reduction structures. Topographical surveys capture the features of the landscape and any nearby utilities.

Other surveys include topographical surveys to locate features and utilities, define the project baseline alignment, and define right of way extent; as well as those necessary to complete cross-sections, Hazardous, Toxic and Radioactive Waste (HTRW) assessments, cultural resource investigations, and environmental surveys. Environmental surveys would include vegetative surveys, such as plant identification and measurements. HTRW assessments would include traversing the area to identify potential HTRW concerns. If any suspected HTRW concerns are noticed, soil and/or water samples may be taken. Environmental surveys and HTRW assessments would be performed by two- to four-person crews that would traverse the area.

I have reviewed [EA #597](#). No public or agency comments were received that informed my decision. Based on the assessment conducted in [EA #597](#), which is attached hereto and made a part hereof, and the implementation of the environmental commitments listed above, I have determined that through implementation of the mitigation plan to offset wetland impacts, the proposed boring and surveys activities would have no significant impact on the natural and human environment.

The proposed action is justified and in accordance with environmental statutes. It is in the public interest to implement that component of the proposed action involving surveys and borings activities evaluated in [EA #597](#).

4 NOV 2025

Date

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