



## Morganza to the Gulf, Louisiana, Hurricane and Storm Damage Risk Reduction Project SEIS



### Appendix L – Public Involvement

### December 2025

The U.S. Department of Defense is committed to making its electronic and information technologies accessible to individuals with disabilities in accordance with Section 508 of the Rehabilitation Act (29 U.S.C. 794d), as amended in 1998. For persons with disabilities experiencing difficulties accessing content, please use the form @ <https://dodcio.defense.gov/DoDSection508/Section-508-Form/>. In this form, please indicate the nature of your accessibility issue/problem and your contact information so we can address your issue or question. For more information about Section 508, please visit the DoD Section 508 website. <https://dodcio.defense.gov/DoDSection508.aspx>.

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## **Part 1: Notice of Intent**

Separation from the Armed Forces of the United States,” is designed to collect the information necessary to retrieve the medical separation and Department of Veterans Affairs records and correct military personnel and pay records.

**Affected Public:** Individuals or households.

**Annual Burden Hours:** 180.

**Number of Respondents:** 240.

**Responses per Respondent:** 1.

**Annual Responses:** 240.

**Average Burden per Response:** 45 minutes.

**Frequency:** On occasion.

**Dated:** June 12, 2024.

**Aaron T. Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2024–13461 Filed 6–18–24; 8:45 am]

**BILLING CODE 6001–FR–P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID: DoD–2024–OS–0067]

### Proposed Collection; Comment Request

**AGENCY:** Office of the Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense (DoD).

**ACTION:** 60-Day information collection notice.

**SUMMARY:** In compliance with the *Paperwork Reduction Act of 1995*, the Defense Finance and Accounting Service announces a proposed public information collection and seeks public comment on the provisions thereof. Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; the accuracy of the agency’s estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by August 19, 2024.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

**Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

**Mail:** Department of Defense, Office of the Assistant to the Secretary of Defense

for Privacy, Civil Liberties, and Transparency, Regulatory Directorate, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350–1700.

**Instructions:** All submissions received must include the agency name, docket number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to Enterprise Standards and Solutions, Disbursing, Defense Finance and Accounting Services (DFAS), 8899 E 56th Street, Indianapolis, IN 46249–0201, POC: Kellen Stout (DFAS IMCO), (317) 212–1801.

### SUPPLEMENTARY INFORMATION:

**Title:** *Associated Form; and OMB Number:* Waiver/Remission of Indebtedness Application; DD Form 2789; OMB Control Number 0730–0009.

**Needs and Uses:** The information collected on this form will be used by the DFAS to determine whether there is indication of fraud, misrepresentation, fault, or lack of good faith, and whether it is in the best interest of the United States to forgive the debt. It will also be used to determine if a debtor should have been reasonably aware of the overpayment when it occurred. If a request for waiver is denied, the debt collection office (DCO) (usually the payroll office) will continue or resume collection if collection action was previously suspended. If a request for waiver is approved, then the DCO must cancel any outstanding portion of the debt and refund any portion of the debt that may have been collected prior to waiver approval.

**Affected Public:** Individuals or households.

**Number of Respondents:** 4,500.

**Responses per Respondent:** 1.

**Annual Responses:** 4,500.

**Average Burden per Response:** 80 minutes.

**Annual Burden Hours:** 6,000.

**Frequency:** On occasion.

**Dated:** June 12, 2024.

**Aaron T. Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 2024–13459 Filed 6–18–24; 8:45 am]

**BILLING CODE 6001–FR–P**

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

### Notice of Intent To Prepare a Supplemental Environmental Impact Statement to the Revised Programmatic Environmental Impact Statement (RPEIS) for the Morganza to the Gulf of Mexico, Louisiana, Hurricane and Storm Damage Risk Reduction Project (MTG)

**AGENCY:** U.S. Army Corps of Engineers, Department of the Army, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers (USACE), Mississippi Valley Division, New Orleans District (CEMVN), is announcing its intent to prepare a Supplemental Environmental Impact Statement (SEIS) to evaluate design changes to the authorized MTG project to meet the one percent Annual Exceedance Probability (AEP) Storm Surge Risk Reduction (100-year level of risk reduction (LORR)). This EIS supplements the Revised Programmatic EIS (RPEIS), MTG, Louisiana, that was integrated with the 2013 Final Post Authorization Change Report (PACR). The 2013 Integrated RPEIS and PACR was approved in the Chief’s Report that was signed July 8, 2013. The Record of Decision (ROD) was signed on December 9, 2013.

**DATES:** All comments and suggestions must be submitted by July 22, 2024.

**ADDRESSES:** To ensure the Corps has sufficient time to consider public input in the preparation of the Draft EIS, scoping comments should be submitted by email at [mvnenvironmental@usace.army.mil](mailto:mvnenvironmental@usace.army.mil), by surface mail to U.S. Army Corps of Engineers, U.S. Army Corps of Engineers, New Orleans District, Attn: CEMVN–PDC–C, 7400 Leake Avenue, New Orleans, Louisiana 70118, or at the Scoping Meeting(s).

### FOR FURTHER INFORMATION CONTACT:

Questions and scoping comments regarding the proposed action should be directed to Ms. Sandra Stiles at U.S. Army Corps of Engineers, New Orleans District, Attn: CEMVN–PDS, 7400 Leake Avenue, New Orleans, Louisiana 70118, by phone (504) 862–2862, or by email at [Sandra.E.Stiles@usace.army.mil](mailto:Sandra.E.Stiles@usace.army.mil).

### SUPPLEMENTARY INFORMATION:

**Background:** The MTG hurricane and storm damage risk reduction project is a levee system located approximately 60 miles southwest of New Orleans, Louisiana and includes most of Terrebonne Parish and a portion of Lafourche Parish between the Terrebonne Parish eastern boundary and



Bayou Lafourche. The purpose of this project is to reduce the risk of damage caused by hurricane storm surges. A review of the project is needed because of the increasing susceptibility of coastal communities to storm surge due to wetland loss, sea level rise, and subsidence. The MTG Project was initially authorized by Section 1001(24) of the Water Resources Development Act (WRDA) of 2007 (Pub. L. 110–114) in accordance with the Reports of the Chief of Engineers dated 23 August 2002 and 22 July 2003, at a total cost of \$886.7 million. The project was redesigned in the 2013 Integrated RPEIS and PACR Report, both to address the project cost increase beyond the statutory limitation in accordance with Section 902 of the WRDA of 1986, as amended, and to meet updated post-Hurricane Katrina design guidelines. The MTG Project was subsequently re-authorized by Section 7002(3)5 of the WRRDA of 2014 (Pub. L. 113–121) in accordance with the Report of the Chief of Engineers dated 8 July 2013, at an updated total cost of \$10,265,100,000. The MTG project was authorized to provide the 1% AEP level of hurricane and storm damage risk reduction while maintaining navigational passage and tidal exchange. The project consists of approximately 98 miles of levee including associated navigation, roadway, pump station fronting protection, and environmental control structures. The 2013 RPEIS provided an assessment for both programmatic and constructible features for the MTG project. Constructible features consisted of those project features that were determined to have sufficient design details to be constructed. Constructible features included levee reaches F1, F2, G1; the HNC Lock; and the Bayou Grand Caillou Floodgate. The remaining features were designed to a programmatic design level that would require supplemental National Environmental Policy Act (NEPA) documentation prior to construction. The mitigation plan for the constructible features included restoration of 427 acres of intermediate marsh, 358 acres of brackish marsh and 975 acres of saline marsh.

This SEIS will disclose the context and intensity of environmental impacts, including indirect and cumulative effects, for the final array of levee alignments and associated features. Any required mitigation will also be discussed.

**Alternatives:** The SEIS will evaluate the PACR alignment as identified in the 2013 Integrated RPEIS and PACR Report to include a reasonable range of alignment modifications that considers

existing levee alignments, the least environmental damaging preferred alignment maximizing avoidance and minimization measures to sensitive habitats as well as the no action alternative. Major Features of the project include: (1) Approximately 98 miles of earthen levee, with final levee elevations ranging from 15 feet to 26.0 feet North American Vertical Datum 1988 (NAVD88) plus overbuild and final levee widths from approximately 146 to 446 feet; (2) The Houma Navigation Canal lock complex (HNC Lock) with lock sill depth of – 18 feet; (3) Construction on navigable waterways of 21 other floodgates such as stop log gates, barge gates, and sector gates; (4) Environmental water control structures at numerous locations within the levee system. Each control structure would consist of one or more culverts with gates that allow for tidal exchange; (5) Measures to offset the potential for increased water levels on the existing Larose to Golden Meadow project.

**Summary of Expected Effects:** The SEIS will analyze the potential impacts on the human and natural environment resulting from the proposed actions for the Project. The scoping, public involvement, and interagency coordination processes are requesting data and information to help identify and define the range of potential significant issues that will be considered. Resources and issues that may be significantly impacted may include tidal wetlands and other waters of the U.S.; aquatic resources; essential fish habitat; threatened and endangered species and their critical habitats; cultural resources; soils; navigation and navigable waters; transportation and traffic; hydrology and hydraulics; induced flooding; environmental justice; and cumulative effects of related projects in the regional area.

**Environmental Reviews and Consultation Requirements:** The alternatives are being coordinated with federal, state, regional, and local agencies. In accordance with relevant environmental laws and regulations, USACE will consult with the following agencies some of which may also serve as cooperating or participating agencies in the EIS preparation: Department of Interior's U.S. Fish and Wildlife Service (USFWS) under the Fish and Wildlife Coordination Act; USFWS and National Oceanic and Atmospheric Administration's (NOAA) under the Endangered Species Act; National Marine Fisheries Service (NMFS) under the Magnuson-Stevens Fishery Conservation and Management Act; Louisiana's Department of Natural Resources (LDNR) under the Coastal

Zone Management Act; and Louisiana Department of Environmental Quality (LDEQ) under the Clean Water Act, Section 401 Water Quality Certification; and, the Advisory Council on Historic Preservation (ACHP), Louisiana's Historic Preservation Office (SHPO), and appropriate Tribal Historic Preservation Officers under the National Historic Preservation Act (NHPA) using an integrated NHPA Section 106/NEPA EIS process.

**NEPA Schedule:** The draft SEIS is presently scheduled to be available for public review and comment in June 2025. A 45-day public review period will be provided for interested parties and agencies to review and comment on this draft document. All interested parties are encouraged to respond to this notice and provide a current address if they wish to be notified of the Draft EIS circulation. A Record of Decision would be approved and signed no earlier than 30 days after the Final EIS is published.

**Public Involvement and Scoping:** The following agencies are being invited as Cooperating Agencies on the SEIS: Environmental Protection Agency (EPA), USFWS, NMFS, U.S. Department of Agriculture's Natural Resources Conservation Service (NRCS), ACHP, Louisiana's SHPO, LDNR, Louisiana's Department of Wildlife and Fisheries (LDWF), and Louisiana's Coastal Protection and Restoration Authority.

USACE invites all affected federal, state, and local agencies, affected Federally recognized Indian Tribes, other interested parties, and the general public to participate in the National Environmental Policy Act (NEPA) process during development of the DEIS. Besides providing information, this notice requests input on alternatives and issues of concern.

To ensure that public comments are considered in the DEIS preparation process, members of the public, interested persons and entities must submit their comments to USACE by mail, email, or at the Scoping Meeting(s). All comments and suggestions must be submitted by July 22, 2024. All personally identifiable information (for example, name, address, etc.) voluntarily submitted by a commenter may be publicly accessible. Do not submit confidential business information or otherwise sensitive or protected information.

Scoping meeting(s) could be held during the scoping period which extends to July 22, 2024, to present information and receive comments from the public. Notification of the meeting(s) will be publicly announced in advance by USACE through press releases, special public notices, USACE social

media platforms, and the project website <http://www.mvn.usace.army.mil/About/Projects/Morganza-to-the-Gulf/>.

**James A. Bodron,**  
Programs Director, Mississippi Valley Division.

[FR Doc. 2024–13480 Filed 6–18–24; 8:45 am]

BILLING CODE 3720–58–P

## DEPARTMENT OF EDUCATION

### President's Board of Advisors on Historically Black Colleges and Universities

**AGENCY:** President's Board of Advisors on Historically Black Colleges and Universities, Office of Secretary, Department of Education.

**ACTION:** Notice. Cancelled open public meeting.

**SUMMARY:** This notice is to advise members of the public of the cancellation of the open meeting of the President's Board of Advisors on Historically Black Colleges and Universities scheduled to be held on June 20, 2024 at 10:30 p.m. (EDT). The open meeting was announced in the **Federal Register** on Monday, May 20, 2023, in FR Doc. 2024–10920 page 43840–43841.

**FOR FURTHER INFORMATION CONTACT:** Sedika Franklin, Associate Director/ Designated Federal Official, U.S. Department of Education, White House Initiative on Historically Black Colleges and Universities, 400 Maryland Avenue SW, Washington, DC 20204; telephone: (202) 453–5634 or (202) 453–5630, or email [sedika.franklin@ed.gov](mailto:sedika.franklin@ed.gov).

**Alexis Barrett,**  
Chief of Staff, Office of the Secretary.

[FR Doc. 2024–13484 Filed 6–18–24; 8:45 am]

BILLING CODE 4000–01–P

## DEPARTMENT OF EDUCATION

### Tests Determined To Be Suitable for Use in the National Reporting System for Adult Education

**AGENCY:** Office of Career, Technical, and Adult Education, Department of Education.

**ACTION:** Notice.

**SUMMARY:** The Secretary announces tests, test forms, and delivery formats that the Secretary determines to be suitable for use in the National Reporting System for Adult Education (NRS). This notice relates to the approved information collections under

OMB control numbers 1830–0027 and 1830–0567.

**FOR FURTHER INFORMATION CONTACT:** John LeMaster, Department of Education, 400 Maryland Avenue SW, Washington, DC 20202. Telephone: 202–987–0903. Email: [John.Lemaster@ed.gov](mailto:John.Lemaster@ed.gov).

If you are deaf, hard of hearing, or have a speech disability and wish to access telecommunications relay services, please dial 7–1–1.

**SUPPLEMENTARY INFORMATION:** On January 14, 2008, we published in the **Federal Register** final regulations for 34 CFR part 462, Measuring Educational Gain in the National Reporting System for Adult Education (73 FR 2305, January 14, 2008, as amended at 81 FR 55552, August 19, 2016) (NRS regulations). The NRS regulations established the process the Secretary uses to determine the suitability of tests for use in the NRS by States and local eligible providers. We annually publish in the **Federal Register**, and post on the internet at [www.nrsweb.org](http://www.nrsweb.org), a list of the names of tests and the educational functioning levels the tests are suitable to measure in the NRS as required by § 462.12(c)(2).

On August 7, 2020, the Secretary published in the **Federal Register** (85 FR 47952) an annual notice consolidating information from previous notices that announced tests determined to be suitable for use in the NRS, in accordance with § 462.13 (August 2020 annual notice). Also, in the August 2020 annual notice, the Secretary announced that English as a Second Language (ESL) tests and test forms approved for an extended period through February 2, 2021, are approved for an additional extended period through February 2, 2023, and that an Adult Basic Education (ABE) test and test forms previously approved for a three-year period through March 7, 2021, are approved for an extended period through March 7, 2023.

On December 6, 2021, the Secretary published in the **Federal Register** (86 FR 69021), an annual notice with the same list of approved tests and test forms as was published in the August 2020 annual notice.

On September 23, 2022, the Secretary published in the **Federal Register** (87 FR 58078) an annual notice announcing that ESL tests and test forms previously approved for an extended period through February 2, 2023, were approved for an additional extended period through February 2, 2024, and that an ABE test and test forms previously approved for an extended period through March 7, 2023, were

approved for an additional extended period through March 7, 2024.

On July 13, 2023, the Secretary published in the **Federal Register** (88 FR 44784) an annual notice announcing new tests that were determined to be suitable for use in the NRS, in accordance with § 462.13 (July 2023 annual notice). Three tests measured the NRS educational functioning levels for ABE at the ABE levels specified in the July 2023 annual notice, and four tests measured the new NRS educational functioning levels for ESL at the ESL levels specified in the July 2023 annual notice. With the Secretary's approval of the new ESL tests in the July 2023 annual notice, the new educational functioning levels for ESL described in Appendix A of Measures and Methods for the National Reporting System for Adult Education (OMB Control Number: 1830–0027) were implemented. In the July 2023 annual notice, the Secretary announced that ESL tests with NRS approvals expiring on February 2, 2024, may be used in the NRS during a sunset period ending on June 30, 2024.

On August 24, 2023, the Secretary published a notice in the **Federal Register** (88 FR 57949) correcting the name of one test listed in the July 2023 annual notice. All other information in the July 2023 annual notice remained the same.

On March 18, 2024, the Secretary published in the **Federal Register** (89 FR 19307) a notice announcing that the sunset period for ESL tests scheduled to sunset on June 30, 2024, is extended through June 30, 2025. This extension of the sunset period will allow States sufficient time for the operational activities required for the transition to the new ESL assessments identified in the July 2023 annual notice.

The ESL educational functioning level descriptors to which the ESL tests with expiring NRS approvals are aligned and that were scheduled to be retired on June 30, 2024, are extended through June 30, 2025. Until that time, both the current ESL educational functioning level descriptors and the new ESL educational functioning level descriptors will be in effect. States must use an ESL assessment that is aligned to the appropriate ESL educational functioning level descriptors.

In this notice, the Secretary announces two new tests and test forms that have been determined to be suitable for use in the NRS, in accordance with § 462.13. The tests measure the NRS educational functioning levels at all ABE and ESL levels, as described in Appendix A of Measures and Methods for the National Reporting System for Adult Education (OMB Control Number

## **Part 2: Scoping Meetings**



# PRESS RELEASE

U.S. ARMY CORPS OF ENGINEERS

BUILDING STRONG®

For Immediate Release:  
July 1, 2024

Public Affairs: Melanie Oubre  
(504) 862-2587  
[Melanie.E.Oubre@usace.army.mil](mailto:Melanie.E.Oubre@usace.army.mil)

## Public Scoping Meetings scheduled for Morganza to the Gulf

*Meetings will gather public input for the Morganza to the Gulf Project*

**NEW ORLEANS** – The U.S. Army Corps of Engineers announced three public scoping meetings will be held on the Morganza to the Gulf (MTG) Supplemental Environmental Impact Statement (SEIS).

The SEIS will evaluate design changes to the authorized MTG project to meet the one percent Annual Exceedance Probability (AEP) Storm Surge Risk Reduction (100-year level of risk reduction).

### Public Meeting Schedule:

**Tuesday, July 30<sup>th</sup>, 2024**  
**North Lafourche Levee District**  
**3862 Highway 1, Raceland, LA 70394**  
**6 p.m. – 8 p.m.**

**Thursday, August 1<sup>st</sup>, 2024**  
**Montegut Fire Station**  
**1105 LA-55, Montegut, LA 70377**  
**6 p.m. – 8 p.m.**

**Monday, August 5<sup>th</sup>, 2024**  
**Barry P. Bonvillain Civic Center**  
**346 Civic Center Blvd., Houma, LA 70360**  
**6 p.m. – 8 p.m.**

Each meeting will feature a short presentation and open house where the public can ask questions of and give feedback to USACE employees. A virtual meeting will be scheduled at a later date. The public will be notified via press release, social media, and the USACE website.

**Background:** The MTG hurricane and storm damage risk reduction project is a levee system located approximately 60 miles southwest of New Orleans, Louisiana and includes most of Terrebonne Parish and a portion of Lafourche Parish between the Terrebonne Parish eastern boundary and Bayou Lafourche. The purpose of this project is to reduce the risk of damage caused by hurricane storm surges.

A review of the project is needed because of the increasing susceptibility of coastal communities to storm surge due to wetland loss, sea level rise, and subsidence. The MTG Project was initially authorized by Section 1001(24) of the Water Resources Development Act (WRDA) of 2007 in accordance with the Reports of the Chief of Engineers dated 23 August 2002 and 22 July 2003, at a total cost of \$886.7 million.

The project was redesigned in the 2013 Integrated Revised Programmatic EIS (RPEIS) and Post Authorization Change Report, both to address the project cost increase beyond the statutory limitation in accordance with Section 902 of the WRDA of 1986, as amended, and to meet updated post-Hurricane Katrina design guidelines. The MTG Project was subsequently re-authorized by Section 7002(3)5 of the Water Resources

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U.S. ARMY CORPS OF ENGINEERS

7400 Leake Avenue, New Orleans, LA 70118 | [www.mvn.usace.army.mil](http://www.mvn.usace.army.mil)  
[www.facebook.com/usacenola](https://www.facebook.com/usacenola)  
[www.twitter.com/teamneworleans](https://www.twitter.com/teamneworleans)

Reform and Development Act of 2014 in accordance with the Report of the Chief of Engineers dated 8 July 2013, at an updated total cost of \$10,265,100,000.

The MTG project was authorized to provide the 1% AEP level of hurricane and storm damage risk reduction while maintaining navigational passage and tidal exchange. The project consists of approximately 98 miles of levee including associated navigation, roadway, pump station fronting protection, and environmental control structures. The 2013 RPEIS provided an assessment for both programmatic and constructible features for the MTG project. Constructible features consisted of those project features that were determined to have sufficient design details to be constructed. Constructible features included levee reaches F1, F2, G1; the HNC Lock; and the Bayou Grand Caillou Floodgate. The remaining features were designed to a programmatic design level that would require supplemental National Environmental Policy Act documentation prior to construction. The mitigation plan for the constructible features included restoration of 427 acres of intermediate marsh, 358 acres of brackish marsh and 975 acres of saline marsh.

This SEIS will disclose the context and intensity of environmental impacts, including indirect and cumulative effects, for the final array of levee alignments and associated features. Any required mitigation will also be discussed.

The public scoping period is extended until August 26, 2024. Comments must be submitted by this date to ensure they are considered in the planning of the project and captured in the Scoping Report.

Scoping comments can be submitted during the public meetings or by mail to:

**U.S. Army Corps of Engineers, New Orleans District**  
**Attn: CEMVN-PDS**  
**7400 Leake Avenue, New Orleans, Louisiana 70118.**  
**Or email: [mvnenvironmental@usace.army.mil](mailto:mvnenvironmental@usace.army.mil)**

Questions regarding the proposed action should be directed to Ms. Sandra Stiles:

**U.S. Army Corps of Engineers, New Orleans District**  
**Attn: CEMVN-PDS, 7400 Leake Avenue, New Orleans, Louisiana 70118**  
**Phone (504) 862-2862**  
**Email [Sandra.E.Stiles@usace.army.mil](mailto:Sandra.E.Stiles@usace.army.mil)**

For more information on the Morganza to the Gulf project, visit  
<https://www.mvn.usace.army.mil/About/Projects/Morganza-to-the-Gulf/>

###



# MORGANZA TO THE GULF OF MEXICO, LOUISIANA

## SCOPING PUBLIC MEETING

July/August 2024



Stakeholders:



US Army Corps  
of Engineers®







# AGENDA

- Meeting Purpose
- Introductions
- The National Environmental Policy Act (NEPA) Process
- Project Overview
- Alternatives Considered
- Opportunities to Comment





# OPENING REMARKS



**Col. Cullen A. Jones, PMP, P.E.**  
*Commander*  
New Orleans District  
United States Army Corps of  
Engineers



# MEETING PURPOSE - CONDUCT SCOPING

## Inform

- Provide background on USACE Study
- Ongoing collaboration efforts
- Authorized Project and Alternatives

## Solicit Input – We want to hear from you

- Identify Problems and Concerns, unique habitat or things to be aware of
- Advise on solutions, feature/alternative considerations
- Problems or solutions we may have missed



US Army Corps  
of Engineers®



**NLLD**  
North Lafourche Levee District



# COLLABORATION WITH OTHERS

## Non-Federal Sponsor

- **Louisiana Coastal Protection and Restoration Authority Board**

## Governmental Stakeholders

- Natural Resource Agencies
- State of Louisiana and State Agencies
- Terrebonne Levee, Drainage and Conservation District
- City Officials

Considered/reviewed/incorporated previous and ongoing studies and recommendations





# WHAT IS NATIONAL ENVIRONMENTAL POLICY ACT?

**The National Environmental Policy Act (NEPA)** is a law that requires federal agencies to assess the environmental effects of their proposed actions prior to making decisions.

- Part of that process is obtaining public input and hearing comments.

## **Goals of NEPA?**

- Requires Federal agencies to consider their actions and decisions with respect to the environment.
- Ensure public and other agency involvement in the decision-making process.

## **How is USACE complying with NEPA?**

- Conducting an analysis of the effects of the proposed action on the environment and preparing an Environmental Impact Statement (EIS)
- Reaching out to public and agencies for input.

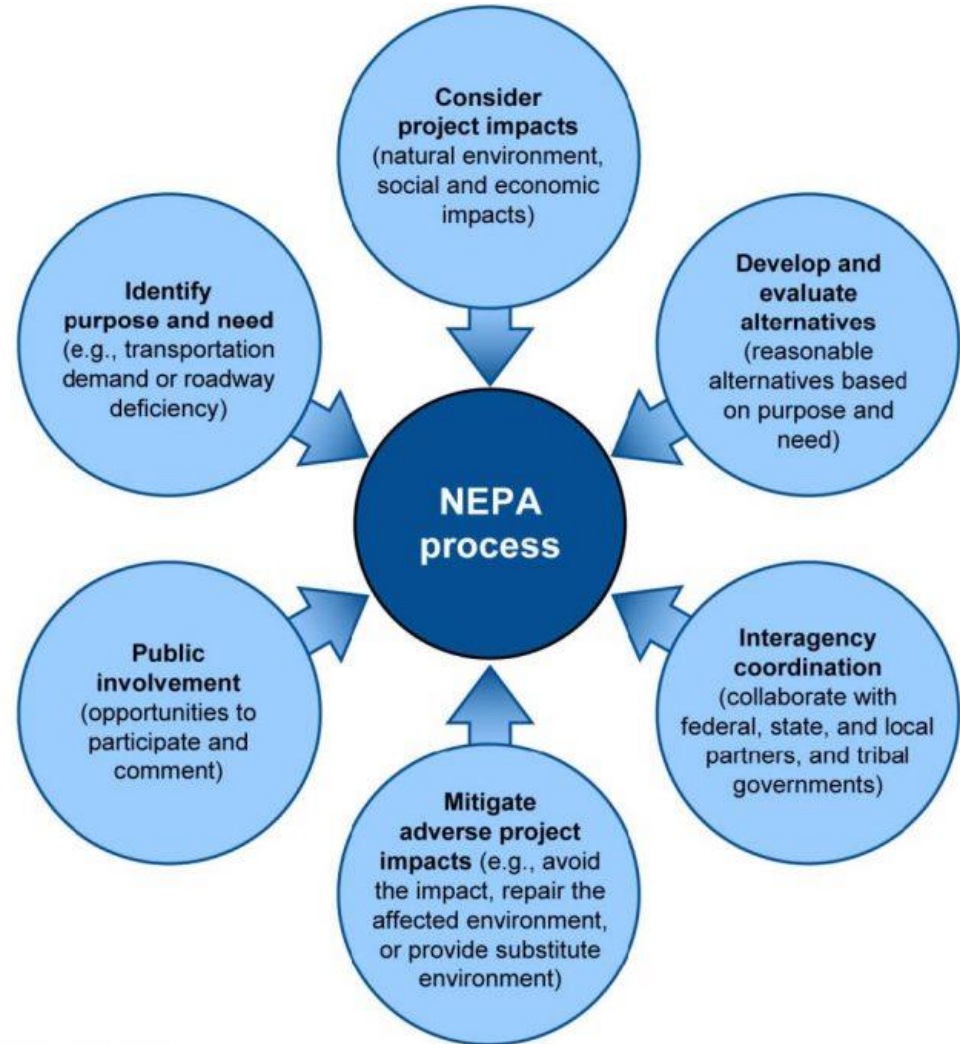




# NATIONAL ENVIRONMENTAL POLICY ACT



- Requires all federal agencies to:
  - ❖ consider the environmental impacts of any proposed action;
  - ❖ develop a range of alternatives;
  - ❖ provide opportunities for the public to provide input; and
  - ❖ document the decision-making process so that interested and affected stakeholders can understand how the agency came to a decision.

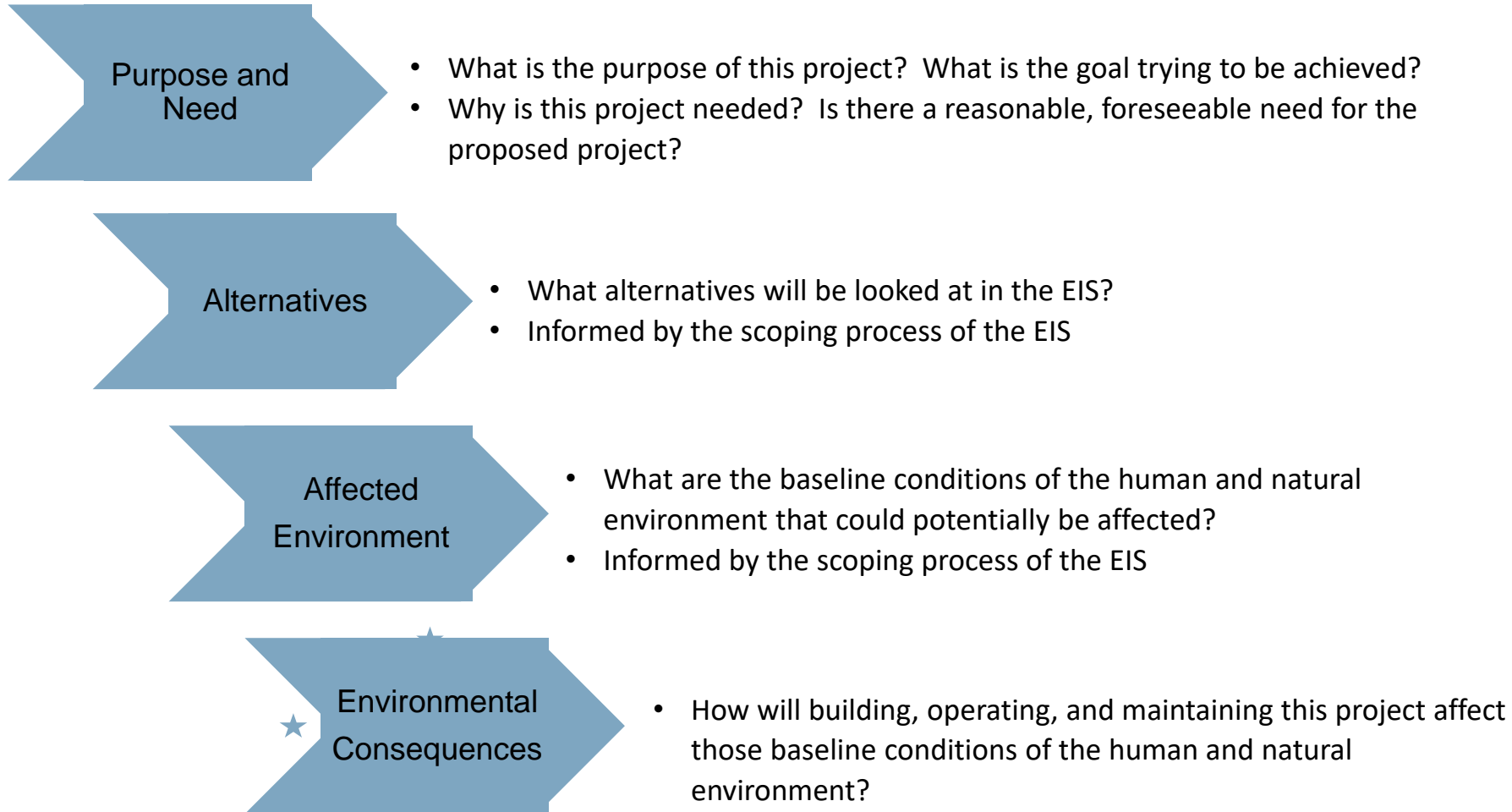


Source: GAO. | GAO-15-71





# WHAT IS AN ENVIRONMENTAL IMPACT STATEMENT?



★ The public is given an opportunity to respond to the Draft EIS. This is where we are today.





# AUTHORIZATION HISTORY

1992	Study Authorized
WRDA 2007	Construction Authorized - \$886.7M (72-mile system)
8 JUL 2013	PAC Report approved
WRRDA 2014	Reauthorized 2013 - \$10.3B (first costs; 98-mile system)
2019	Memorandum of Understanding
DEC 2021	Cost updated - \$6.5B (first costs) with \$3.2B Federal investment
28 DEC 2021	Partnership Agreement - USACE, CPRA, and TLCD
	EDR?





# AUTHORITY





# AUTHORIZED PACR FEATURES

- 98-miles of earthen levee,
- 22 floodgates on navigable waterways,
- 23 environmental water control structures
- Lock complex - lock in the Houma Navigation Canal measuring 110-ft wide by 800-ft long, an adjoining floodgate measuring 250 feet wide, and a dam closure.



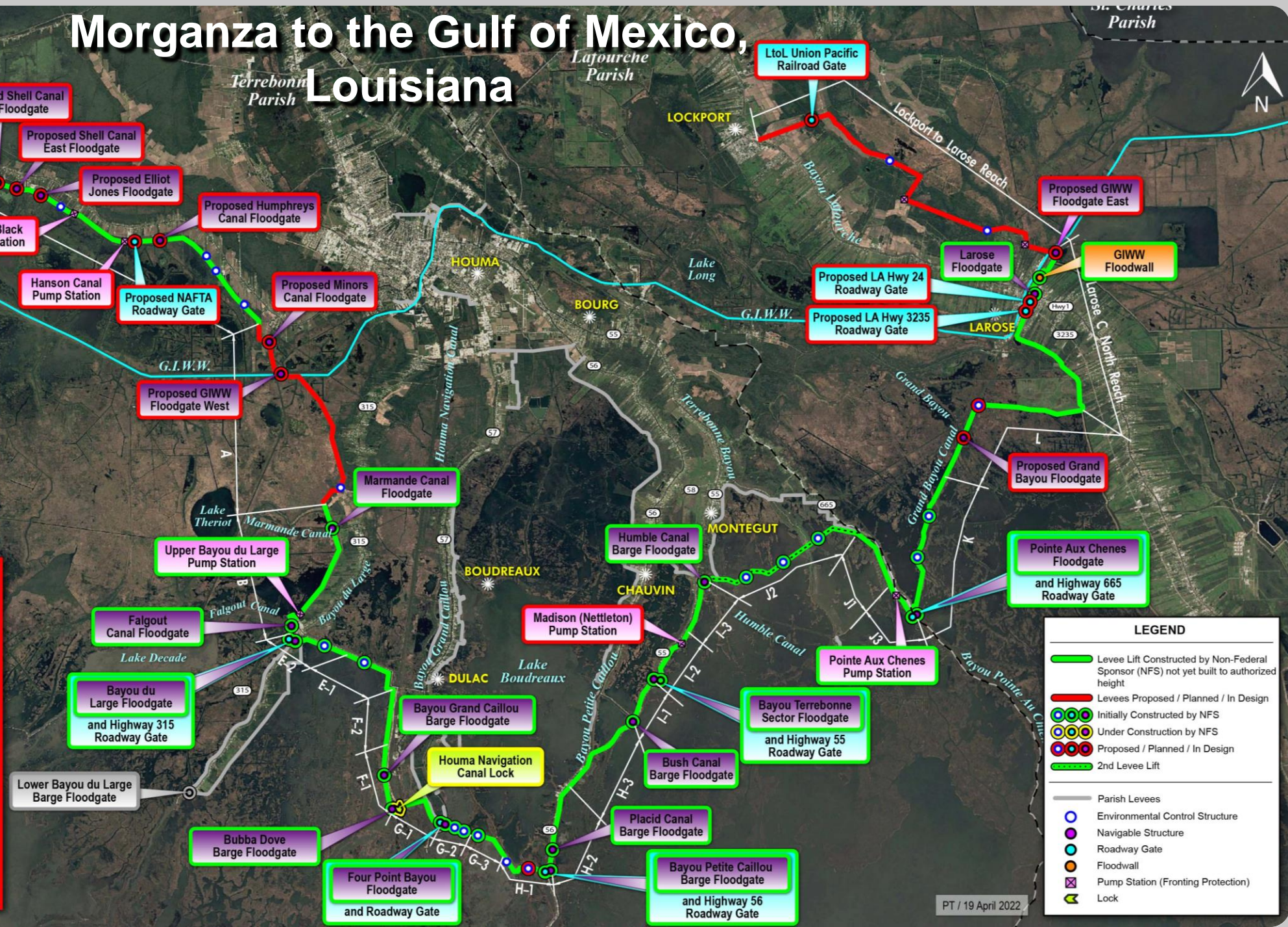


# AUTHORIZED PACR ALIGNMENT





# Morganza to the Gulf of Mexico, Louisiana

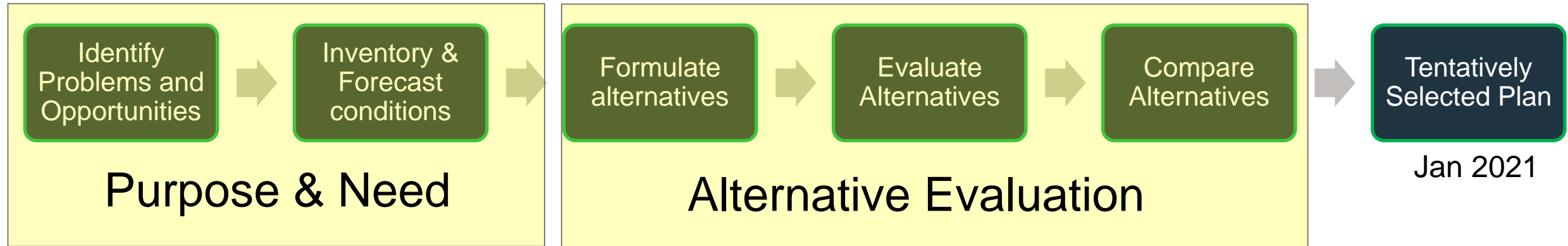






# EVALUATION PROCESS

15



- ✓ Define the problem
- ✓ Inventory available data and information
- ✓ Forecast of future conditions
- ✓ Identification of key areas of uncertainty that will impact the project formulation
- ✓ Identification of the decision criteria that will be used to formulate, compare and select alternatives
- ✓ Formulation of alternatives based on critical thinking and professional expertise





# PURPOSE AND NEED



- PURPOSE - Reduce the risk of damage caused by hurricane storm surges.
- NEED -





## EXISTING CONDITIONS

Federal funds have been appropriated for design and construction

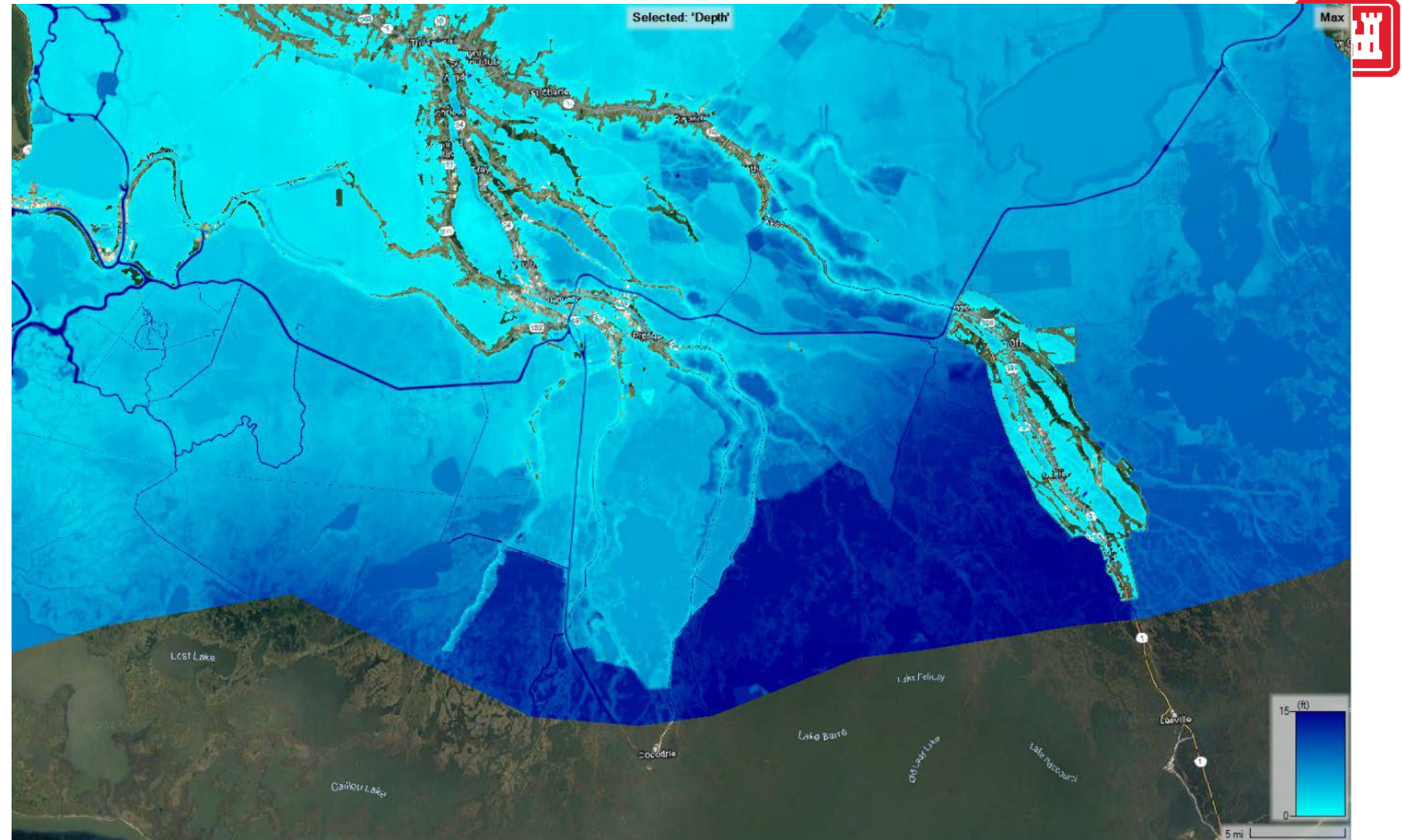
Reach A – Programmatic EA with Constructible Features  
Humble Canal – Preload EA

The non-Federal sponsor is using state and local funds to independently construct interim features in advance of the Federal project.





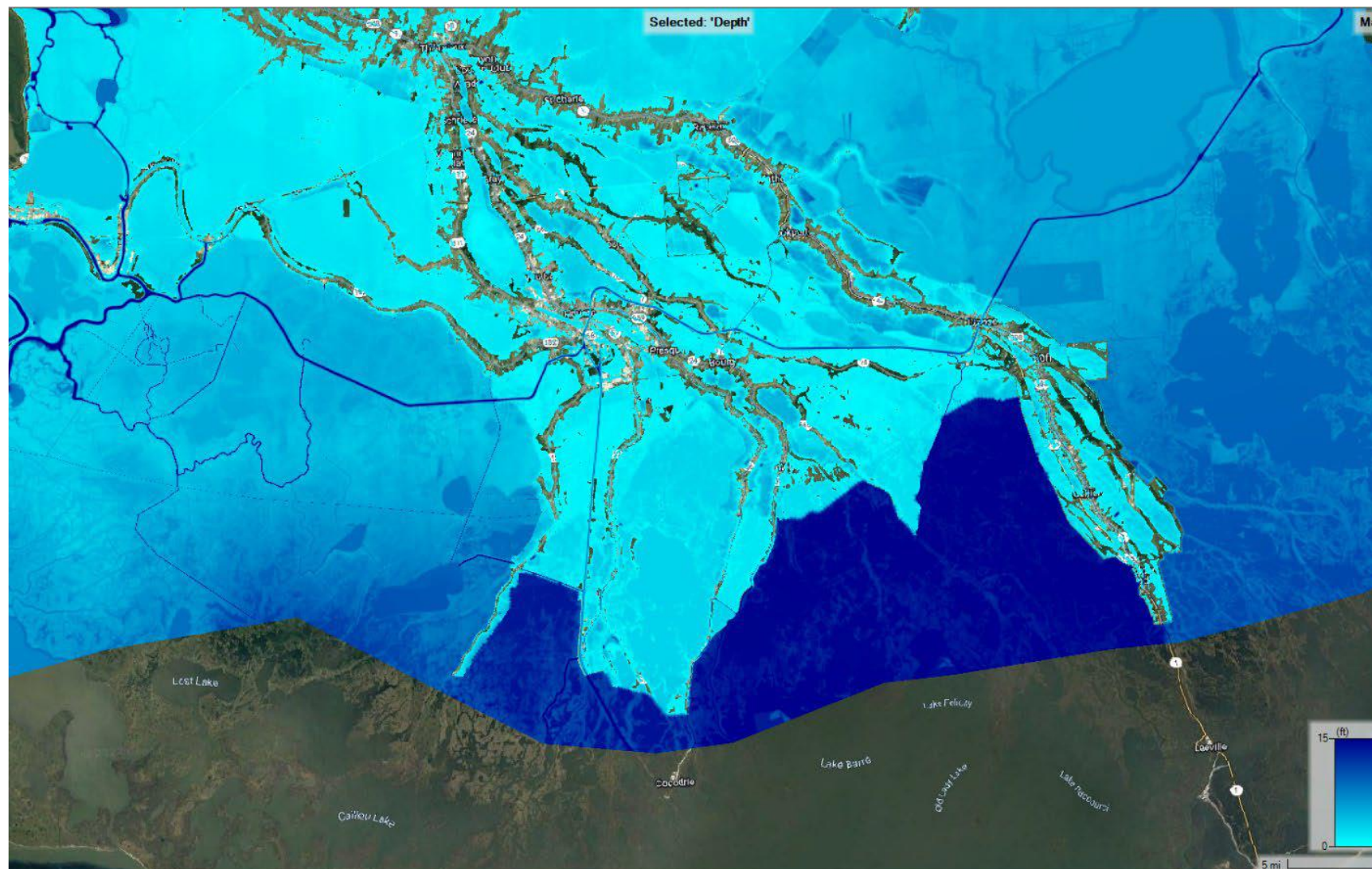
# TERREBONNE AND LAFOURCHE FLOODING



**1% AEP Event, Existing Conditions, Precipitation and Storm Surge, 2035**



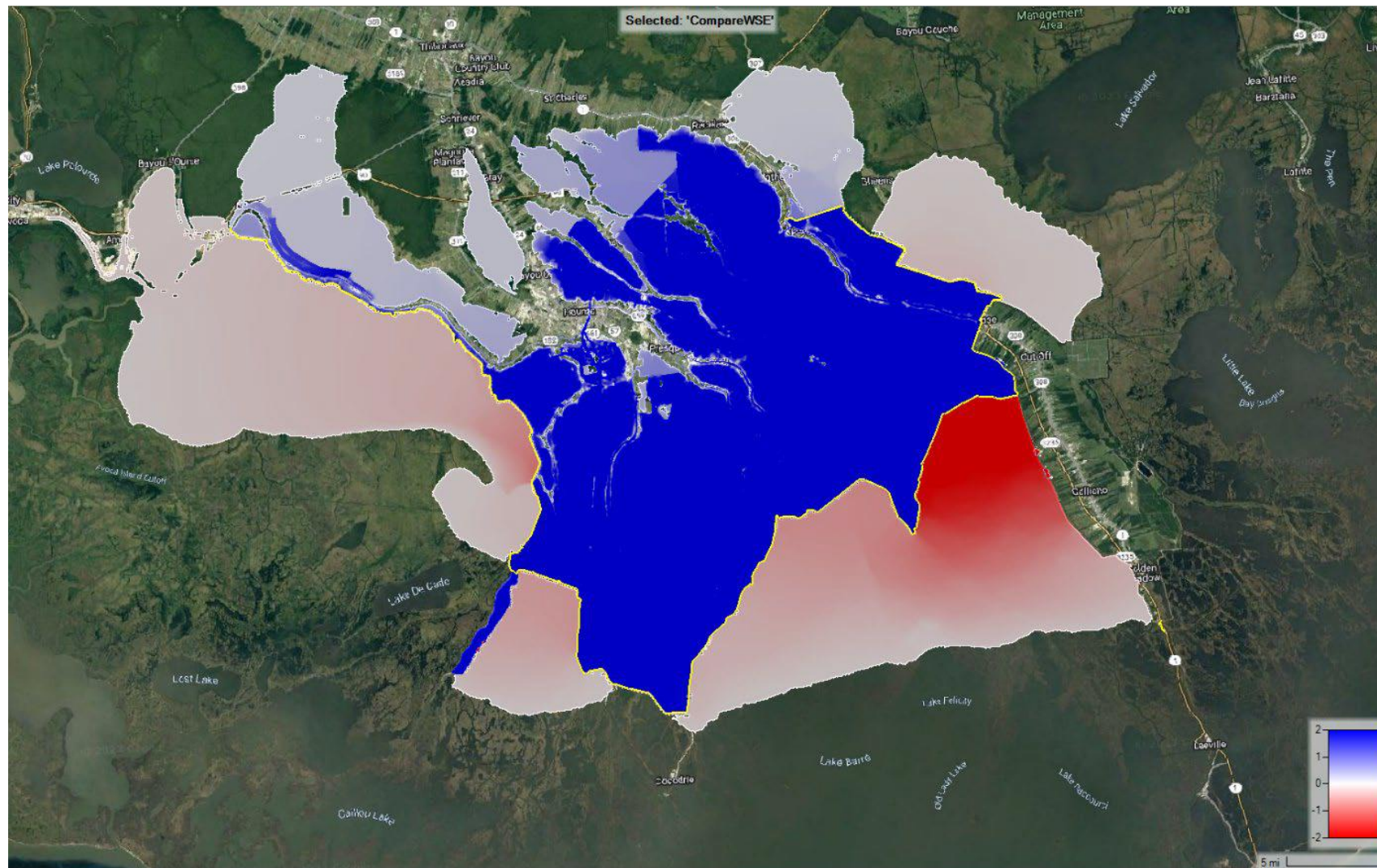
# TERREBONNE AND LAFOURCHE FLOODING



### ***1% AEP Event, Proposed Conditions, Precipitation and Storm Surge, 2035***







*Difference Grid - 1% AEP Event, Existing Minus Proposed Conditions,  
Precipitation and Storm Surge, 2035*

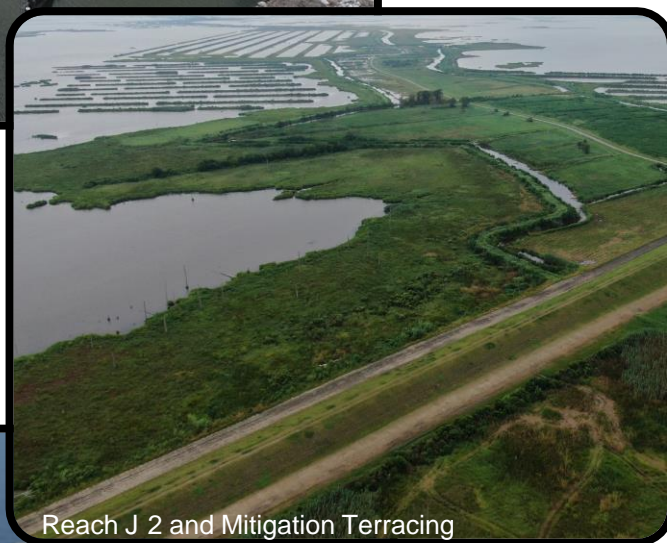


# NON-FEDERAL SPONSOR EFFORT

- Invested over \$1.1B along MTG alignment
  - 80+ miles of levee constructed
  - 25+ structures
  - Houma Navigation Canal Lock Complex
  - Ongoing levee lifts
- Collaborating on current designs
- Benefits demonstrated 99% residential flooding reduction between 2005 (Hurricane Rita) and 2019 (Hurricane Barry) but still vulnerable to greater storms



Petite Caillou Floodgate and Road Gate 2016



Reach J 2 and Mitigation Terracing



Conceptual Design for the Houma Navigation Canal Lock Complex



# MORGANZA TO THE GULF LEVEE SYSTEM

23



**Federal Funding: \$469.31M Appropriated**

## FY 2021 New Start--\$12.46M

- Humble Canal Preload & PED  
\$12.46M

## FY 2022 Bipartisan Infrastructure Law-- \$378.52M (Design & Construction)

- Reach A Levee portion \$24.93
- Lockport to Larose Levee portion  
\$30M
- Minors Canal Floodgate \$29.5
- GIWW West Floodgate \$125.25
- GIWW East Floodgate \$113.6
- Humble Canal Floodgate \$52.25

## FY 2022 Community Fund (Earmark)-\$19.33M

- Reach F Design
- Reach J-2 Design
- Shell Canal Floodgate Design

## FY 2023 Community Fund (Earmark)-\$31M

- Reach L Design \$11.5M
- Reach K Design \$11.5M
- Bayou Terrebonne Floodgate Design  
\$8M

## FY 2024 Community Fund (Earmark)-\$28M

- Reach A Levee Const. (Contract 1)
- Reach A Structures Design
- Environmental Coord. (Mitigation)





# MORGANZA TO THE GULF LEVEE SYSTEM

## FEDERAL WORK UNDERWAY

### Funded Design and Construction

24



#### Features Funded for Design and Construction

##### Levee Features

- Reach A Levee portion-\$27M
- Lockport to Larose Levee portion-\$30M

##### Structure Features

- Minors Canal Floodgate-\$30M
- GIWW West Floodgate-\$125M
- GIWW East Floodgate-\$114M
- Humble Canal Floodgate-\$52M

#### Features Funded for Design — \$52M

##### Levee Features

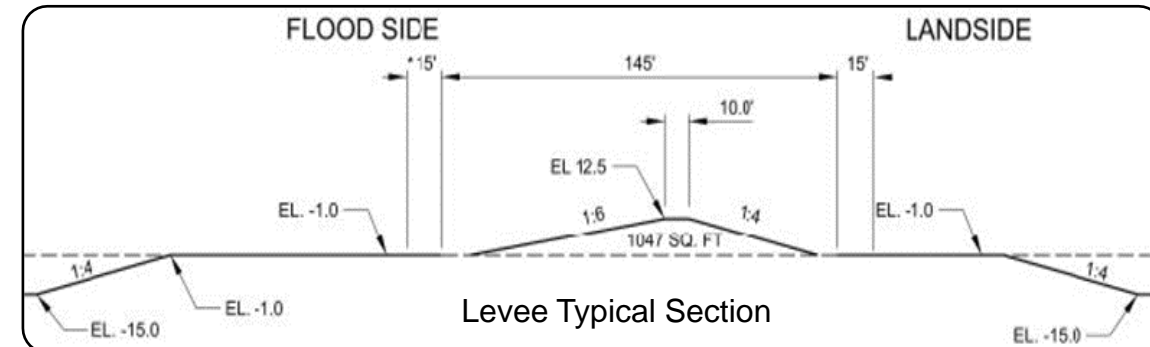
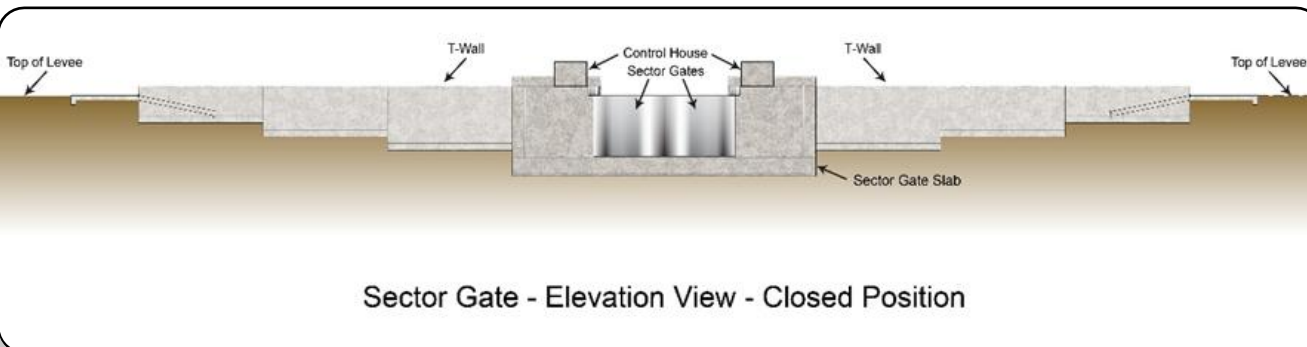
- Reach F
- Reach J-2
- Reach L
- Reach K

##### Structure Features

- Bayou Terrebonne Floodgate
- Shell Canal Floodgate

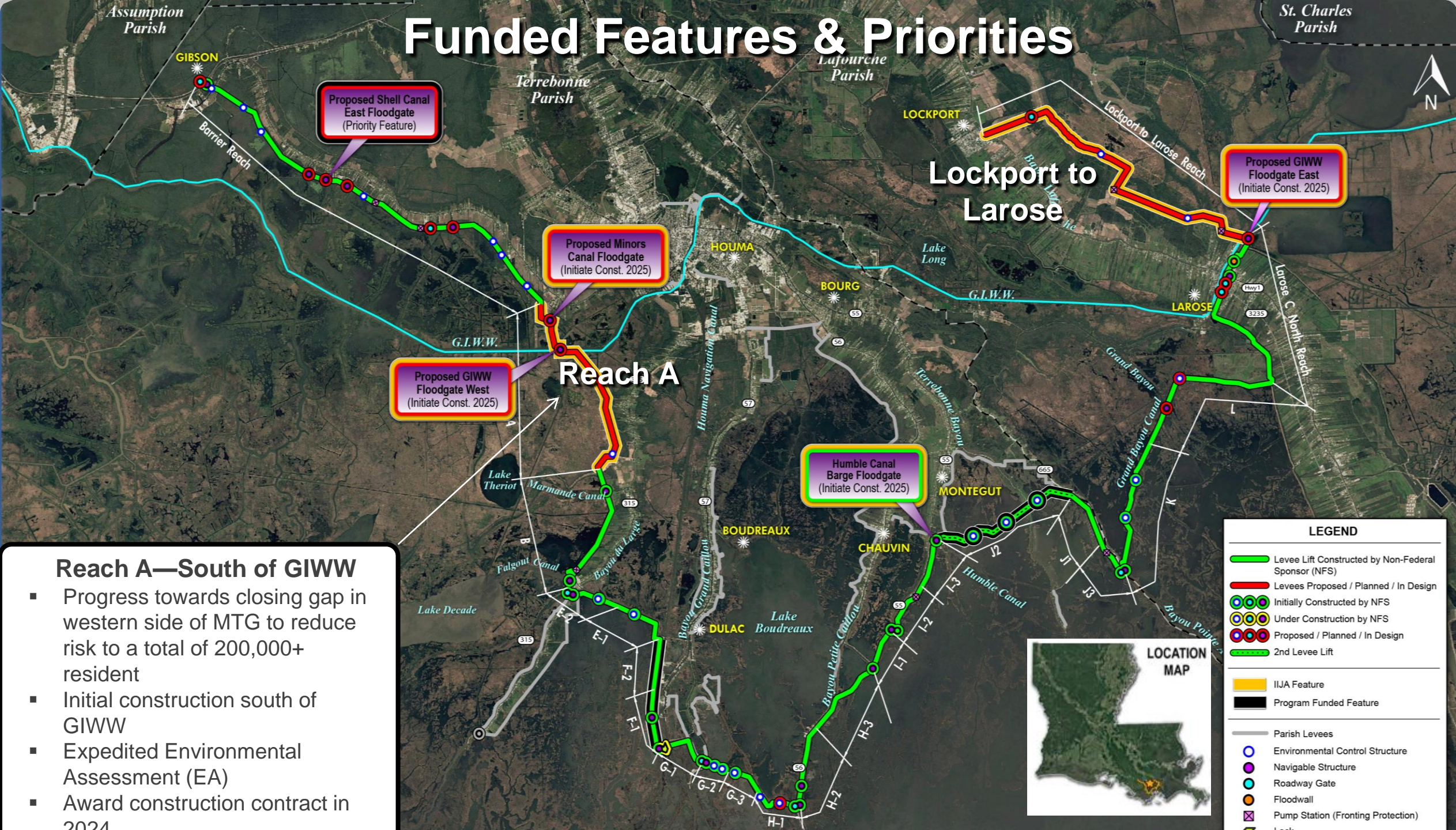
##### Environmental Efforts

- Reach A Environmental Assessment (EA) & Mitigation
- Reach F EA
- Supplemental Environmental Impact Statement (SEIS)—Entire project
- Survey and Borings EA





# Funded Features & Priorities







# MORGANZA TO THE GULF LEVEE SYSTEM

## FEDERAL WORK UNDERWAY

26



**Federal Funding: \$469.31M Appropriated**

Project Mission: Working with CPRA and Levee Districts to deliver a world class levee system design to combat a 100-year storm for the citizens of Terrebonne and Lafourche Parishes

### Construction Started

- Humble Canal Sector Gate Preload-Complete September 2023--\$11M
- Reach A Contract 1- to advertise in May 2024--\$28M





# WITHOUT PROJECT CONDITION

Most likely condition of the resources and human environment if no additional actions are taken

## Flood risk

- Continued sea level rise
- Continued subsidence

## Increased storm damages

- Frequency
- Intensity

## Local Sponsor Construction Projects







# ALTERNATIVES



No Action Alternative

Authorized Post Authorization Change Alternative

Non-Federal Sponsor Alignment

Modified PACR alignment





# SCREENING CRITERIA

- Meets Project objectives
- Meets USACE definition for flood risk management vs local storm drainage- ER-1165-2-21 (greater than 800 cfs)
- Reduces flood risk in a repetitive loss/problem drainage
- Potential Damages Avoided Exceed Implementation C
- Consistent with the CPRA Master Plan
- Avoids Project constraints
  - Impacts to threatened and endangered species and their critical habitats
  - Impacts to managed habitats i.e. essential fish habitat (EFH)
  - Lands known to have Hazardous, Toxic and Radioactive Waste (HTRW) concerns
  - Impacts to established recreational areas
  - Impacts to view shed



# ENVIRONMENTAL OPPORTUNITIES

- Provides resiliency to combat sea level rise
  - Design includes projected sea-level rise through 2085
- Design considers increasing tropical cyclone frequency and strength
- Environmental control structures allow tidal exchange while protecting vulnerable wetlands
- Marsh recovery and preservation
- Exploring creative mitigation opportunities
  - Addressing salinity increases through operational changes
  - Adaptive management



Environmental Control Structure



Reach F Mitigation 2012



Reach F Mitigation 2019



Reach F Mitigation 2022



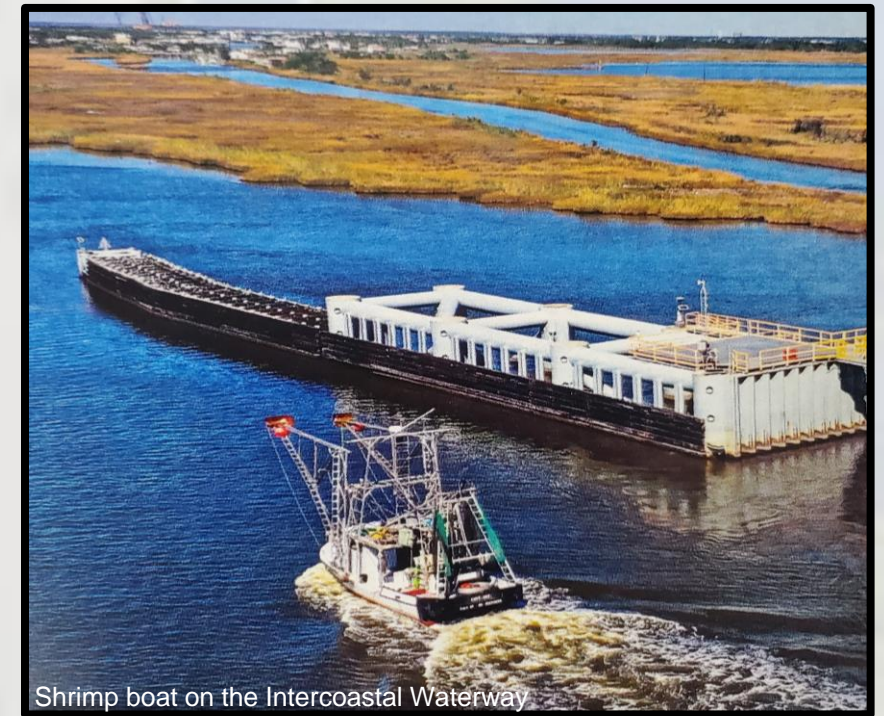


# ENVIRONMENTAL JUSTICE

32



- Protecting disadvantaged communities and low-moderate income populations
  - Of the 200,000+ residents in the Terrebonne and Lafourche Parishes, 86,393 live in disadvantaged census tracts
    - 24% minority population
    - 20% of residents live in poverty
- Sustaining Louisiana's fisheries and culture
- Sustaining emerging offshore wind energy development
- Anticipate alignment with Justice40 Initiative



Shrimp boat on the Intercoastal Waterway



ENVIRONMENTAL JUSTICE

## JUSTICE40

A WHOLE-OF-GOVERNMENT INITIATIVE

Image: Reach H with Petite Caillou Floodgate



# OUT-YEAR PRIORITIES/ PATH FORWARD

- Fiscal Year 2025 \$93M:
  - Reach F Levee Lift Construction
  - Continue Critical Structure Designs
  - Environmental Coordination (Mitigation)
- Fiscal Year 2026 \$TBD:
  - Reach J-2 Levee Lift Construction
  - Environmental Coordination (Mitigation)
- Complete SEIS (ROD) in March 2026
- Stay poised to execute Regular (Earmarks, Work Plan, PBUD) funds each FY
- \$~380M per year: Funding requirement to attain project benefits by 2035





# INPUT WE NEED FROM YOU



1. Do the alternatives meet the needs of the community?
2. Are there additional problems related to flooding in the project area that are not captured? Or not addressed by the proposed alternatives?
3. With what storm did your community see the most damages? How often are you seeing flooding?
4. Are there measures or alternative strategies that would address the problems more effectively?





# TO SUBMIT COMMENTS

Comments accepted through August 26, 2024

Email: [mvnenvironmental@usace.army.mil](mailto:mvnenvironmental@usace.army.mil)

Address:

Eric Williams, CEMVN-PDS  
7400 Leake Ave.  
New Orleans, LA 70118

Text or Voicemail:

504-862- 2862

Project Website:

<https://www.mvn.usace.army.mil/About/Projects/Morganza-to-the-Gulf/>



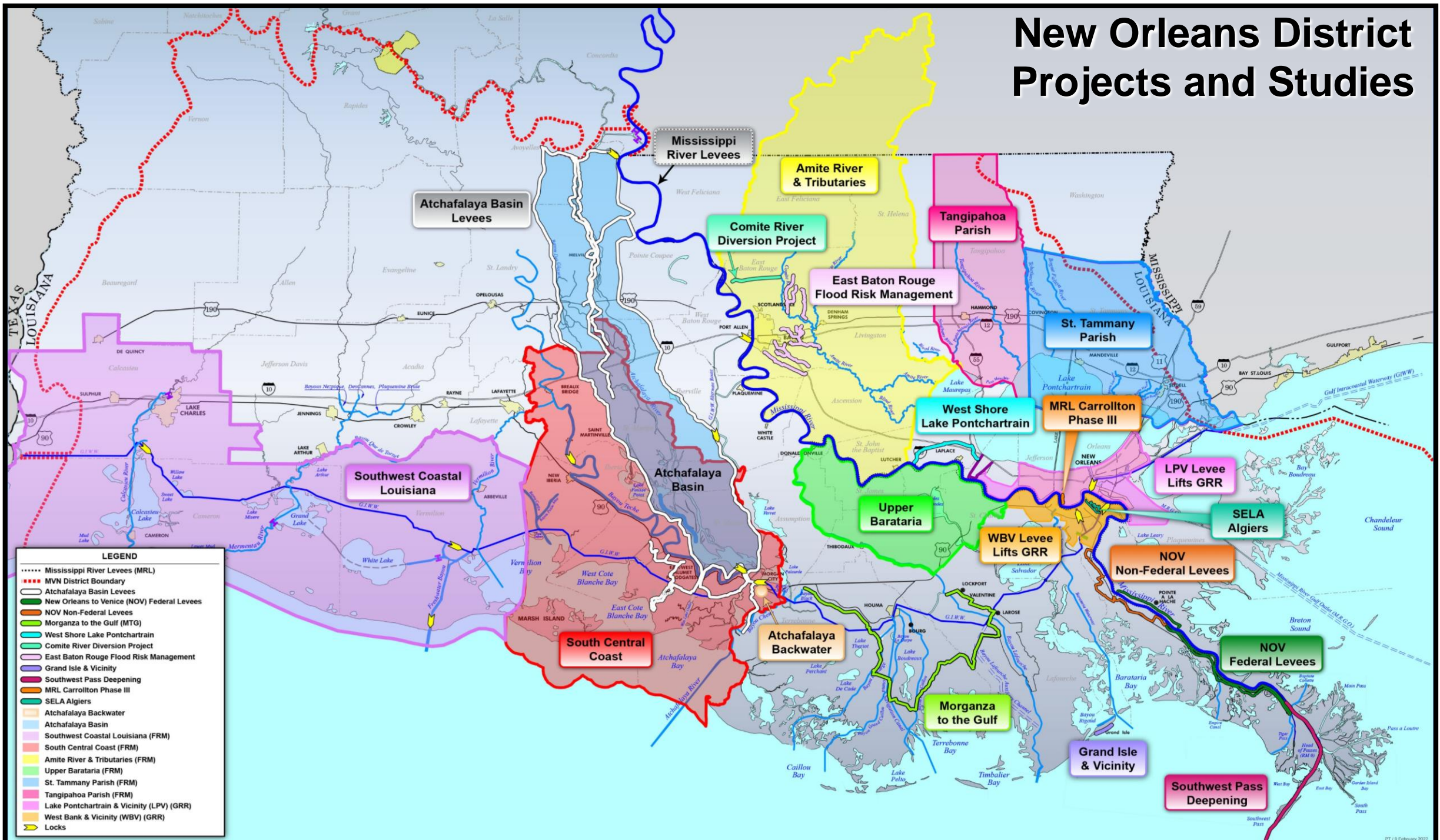
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# THANK YOU FOR JOINING US

# New Orleans District Projects and Studies







U.S. Army Corps  
of Engineers  
New Orleans District

# ATTENDANCE RECORD

Date: 5 August 2024

Morganza To The Gulf Public Scoping Meeting

Barry P. Bonvillian Civic Center

\*\*\*PLEASE PRINT CLEARLY\*\*\*

Name	Home Address or Organization	City	State	Zip	Email	Phone
1. Rev. C. Kirby Venet	183 East Grand Rd.	Jurac	La	70353	ckirbyvenet@gmail.com	(985) 856-5037
2. Cecile Carter	217 Thoroughbred	Thibodaux	LA	70301	Campes@gmail.com	985/914-9332
3. Charles Roberts	100 Coen Drive	Thibodaux	LA	70301	Charles@onsmoreco.com	855-387-2479
4. Blake Compard	604 Lory 13th St	Louisiana	LA	70373	blakecompard-sons.com	
5. DANIEL DEARMOND	CPRRA	THIBODAUX	LA		DANIEL.DEARMOND@LA.gov	985-688-0259
6. Paul Bonvillian	MAC	Thibodaux	LA	70301	Mend.bonvillian@micholls.edu	985 258 1399
7. Chris St Martin	Wheeler Station	Forest	LA	70301	CSmartin@STWBA.com	985 826 3091
8. Lizbeth St Martin	411					
9. Michael St. Martin	Shue	Shue				Shue
10. Mike Strubs	450 Monrovia Dr	Houma			mike.strubs@unithumanitarian.org	709-2144
11. Rosario Pyne		Baileys	LA		rdpyne@tcd.org	985-790-5902
12. Miguel Hidalgo	TLED	Houma	LA	70303	ahidalgo@tled.org	985 209 6341
13. Terry Middleton	TLED	Thibodaux	LA	70301	tmiddleton@tled.org	985-209-6346
14. Paige Liscalar	CTAC	Thibodaux	LA	70301	paige@louisianactac.org	985-493-2583
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US Army Corps  
of Engineers  
New Orleans District

# ATTENDANCE RECORD

Date: 5 August 2024

Morganza To The Gulf Public Scoping Meeting

Barry P. Bonvillian Civic Center

\*\*\*PLEASE PRINT CLEARLY\*\*\*

Name	Home Address or Organization	City	State	Zip	Email	Phone
1 W. Alex Rstheimer	1010451st Ave	Hammond	La	70413	rstheimer1010@comcast.net	985-791-1379
2 Mtn Marina nls	351 Tinsley Dr	Hammond	La	70404	Mtln.M@deltaeastllc.com	985-655-7100
3 Debbie Oates	3924/3805A	Hammond	La	70404	Debbie.Oates@deltaeastllc.com	
4 Stephen Smith	All South	Hammond	La	70404	smith@deltaeastllc.com	504-382-2783
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US Army Corps  
of Engineers  
New Orleans District

# ATTENDANCE RECORD

Date: 5 August 2024

Morganza To The Gulf Public Scoping Meeting

Barry P. Bonvillian Civic Center

\*\*\*PLEASE PRINT CLEARLY\*\*\*

Name	Home Address or Organization	City	State	Zip	Email	Phone
1 Jesse Billiot	660 Beatrice Street	Houma	LA	70343	jesse.billiot@hotmail.com	985-688-7592
2 Bridget Malbrough	Coastal Technical Assistance	Thibodaux	LA		bridget@louisianacra.org	985-860-4103
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US Army Corps  
of Engineers  
New Orleans District

# ATTENDANCE RECORD

Date: 1 August 2024

Morganza To The Gulf Public Scoping Meeting

Location: Montegut Fire Station

\*\*\*PLEASE PRINT CLEARLY\*\*\*

Name		Home Address or Organization		City	State	Zip	Email	Phone
1	Lance Fossell	United Home Ndring	iburna	LA	2800		Lance.Fossell@UnitedHomeNdring.com	905-772-3889
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## **Part 3: Scoping Comments**

- 3.1 Pointe Au Chien Tribe
- 3.2 Former United Houma National Tribal
- 3.3 Chairman Taproot Earth
- 3.4 U.S. Fish and Wildlife Service
- 3.5 U.S. Environmental Protection Agency



US Army Corps  
of Engineers®  
New Orleans District

The purpose of the general scoping meeting is to inform the public about the proposed studies, and to open the dialog with interested parties to define existing problems, needs, and opportunities.

### Comment Card

Comments: Currently, large pits are being dug to farm material  
for the levee systems. Some of these pits are in area where land is  
already scarce. What is the plan to refill these pits?

Name Jesse Billiot

Affiliation Pointe Au Chien Tribe

Street 6010 Beatrice Street

Phone 985-688-7892

City, St Zip Houma, LA 70363

E-mail jesse\_billiot@hotmail.com





US Army Corps  
of Engineers  
New Orleans District

The purpose of the general scoping meeting is to inform the public about the proposed studies, and to open the dialog with interested parties to define existing problems, needs, and opportunities.

### Comment Card

Comments: "Our nation needs God, indivisible, with liberty and justice for All. We need to protect our environment, people and property, we live in a very special place where people work hard to make a living. We do not need delays but to continue to move forward on this project. Our levee district took action to move Monrovia forward. Our citizens taxed themselves to fund this project and match money. We had to fight to be included and we know if you do not protect, every one loses."

Name Rev. C Kirby Venet Coamen United Houma Nation Tribal Chairman  
Street 183 Coast Guard Rd Affiliation \_\_\_\_\_  
City, St Zip Dulac, La 70353 Phone (985) 856-5037  
E-mail ckirbyvenet@icloud.com  
Pastor of Clanton Chapel UMC, Dulac, La.



August 26, 2024

U.S. Army Corps of Engineers  
New Orleans District, Attn: CEMVN-PDC-C  
7400 Leake Avenue  
New Orleans, LA 70118  
Via email: [mvnenvironmental@usace.army.mil](mailto:mvnenvironmental@usace.army.mil)

**Re: NEPA Scoping Comments for the Morganza to the Gulf of Mexico (MTG)**

Taproot Earth appreciates the opportunity to submit comments during the National Environmental Policy Act (NEPA) Scoping Comment Period for the Morganza to the Gulf of Mexico (MTG) levee project. As a global climate justice organization based in Slidell, Louisiana, Taproot Earth works with communities across 18 states from the Gulf South up through Appalachia and across the globe to advance solutions that involve pertinent resources such as water, energy, and land to ensure that we can address climate change in a holistic way. Taproots foundations evolved out of the aftermath of Hurricane Katrina in 2005, a climate disaster that killed thousands of people, displaced hundreds of thousands and changed the Gulf South region forever. Taproot understands the role of and conversations around levees to be directly impacted by a changing climate reality-one that promises to impact water resources, land subsidence and undervalued communities.

The MTG a levee project impacts hundreds of long-standing Black communities in South Louisiana and five state-recognized tribes: Bayou Lafourche; Grand Caillou/Dulac; Isle de Jean Charles; Pointe-au-Chien; and the United Houma Nation. The land of many of these Peoples were included in the MTG's original project design only to be excluded due to a lack of economic feasibility to protect them. Similar arbitrary decisions supported by partial zoning policies rooted in structural discrimination (laws, policies, accepted traditions) have created a reality where poor, Black and Indigenous communities now live in low lying, flood prone areas.<sup>1</sup>

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<sup>1</sup> Overrepresentation of Historically Underserved and Socially Vulnerable Communities Behind Levees in the United States <https://agupubs.onlinelibrary.wiley.com/doi/full/10.1029/2023EF003619>.

Taproot Earth appreciates the agency's work to change the originally proposed MTG levee and make improvements to the existing portions of the Morganza to the Gulf levee to be more inclusive of poor and Indigenous communities. As part of the scoping process, the USACE has a chance to consider various alternatives and impacts in the project area. With a proper assessment of a discriminatory past (that has brought us to an unprecedented climate future), current updated data and policies, impacts of sea level rise<sup>2</sup> and Federal environmental justice mandates,<sup>3</sup> USACE can chart a new path forward.

While levees can help to protect communities from severe storms and flooding, they also pose major challenges. Healthy wetlands are needed to help manage storm surges. The construction of levees obstruct natural waterways, decreasing the flow of sediment and destroying wildlife habitats, including wetlands lost at an accelerated pace in Louisiana due to the fossil fuel industry. Levees also pose a risk to the long-term health of the ecosystem since they are known to degrade soil health.

As the MTG levee project undergoes another scoping period and supplemental environmental impact statement, below are Taproot Earth's recommendations and considerations for the USACE, as well as answer some of the requested questions asked by the USACE. Below, please find our Recommendations:

### **1. Indigenous Peoples and Tribal Communities Outreach, Free Prior and Informed Consent and Right of First Refusal**

Measures should be taken to ensure that Indigenous communities and Tribes have ample opportunity to learn about the proposed changes, ask questions and provide insights of impacts to the community. Taproot Earth recommends that the agency obtains the free prior and informed consent<sup>4</sup> of all impacted Indigenous communities in the MTG project scope. We believe that this internationally recognized standard is the best way to respect Indigenous rights.

Impacted tribal nations and Peoples should have the right of first refusal for any proposed changes that will significantly impact their communities in order to ensure the tribes' sovereignty. If a project is supported by a tribe, deeper consultation can look like, but is not limited to, hiring local tribal members as consultants for project development and habitat

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<sup>2</sup> Sea Level Rise and Implications for Low Lying Islands, Coasts and Communities

<https://www.ipcc.ch/srocc/chapter/chapter-4-sea-level-rise-and-implications-for-low-lying-islands-coasts-and-communities/>.

<sup>3</sup> Executive Order 12898, Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

<https://www.federalregister.gov/documents/1994/02/16/94-3685/federal-actions-to-address-environmental-justice-in-minority-populations-and-low-income-populations>; Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All <https://www.govinfo.gov/content/pkg/FR-2023-04-26/pdf/2023-08955.pdf>.

<sup>4</sup> United Nations Human Rights Office of the Commissioner, Free Prior and Informed Consent of Indigenous Peoples, <https://www.ohchr.org/sites/default/files/Documents/Issues/IPeoples/FreePriorandInformedConsent.pdf>.



restoration. In the interest of ensuring an inclusive and democratic process in public meetings, basic accommodations for robust participation should be provided at no cost to the participants, including providing food, childcare and financial or transportation support for those traveling from impacted areas far away.

## **2. Prioritize Habitat Restoration of the Natural Infrastructure**

Taproot Earth recommends that the USACE prioritize natural infrastructure such as habitat restoration in constructing the MTG. This includes the restoration of 427 acres of intermediate marsh, 358 acres of brackish marsh and 975 acres of saline marsh. Proper restoration of the marsh land is likely to decrease land loss. Communities across this region have been in deep relationship with the marsh lands for generations. Having deep consultation and collaboration with the tribes and long-standing communities of the impacted area, can support in building out a longstanding habitat restoration program. Habitat restoration is worth the price, because the loss of wildlife directly impacts the health and wellbeing of communities. Additionally, any compensatory mitigation should be done in-kind and in-basin in order to preserve the integrity of the ecosystem.

## **3. Democratize Public Research on the impacts of the current flood mitigation systems**

Additionally, the USACE should consider that the Mississippi River Delta and coastal Louisiana are losing a football field of wetlands every 100 minutes<sup>5</sup> and the impacts of the MTG on land loss is not directly mentioned in the project and proposed alternatives. Levees are known to increase land loss, so an analysis of the different project alternatives and their impacts on land loss should be included in the Supplemental Environmental Impact Statement (SEIS).

Flood gates are currently in place in communities to protect against severe flooding and surges. However, the opening and closing of flood gates is currently at the discretion of local agencies and operators. Community residents in Dulac have reported incidents when the floodgates have stayed open during flooding events in order to allow for canal navigation for marine traffic. The USACE should investigate and provide recommendations on how the opening and closing of flood gates will prioritize protecting local communities from flooding, and to set forth mechanisms for transparency and accountability in flood gate management.

Current information does not directly relay the failures of the current levee system in protecting communities from severe flooding like that of Hurricane Ida. There are deficiencies in data showing how this proposed levee system protects against a storm like Hurricane Ida. Taproot Earth requests that the SEIS detail protection under Hurricane Ida conditions (1) with current storm protection infrastructure (no action alternative); (2) with proposed alternative (MTG levee); and (3) with native habitat restoration alternative.

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<sup>5</sup> Land Loss in the Mississippi River Delta: <https://mississippiriverdelta.org/our-coastal-crisis/land-loss/>.

Storms are intensifying, and sea level is rising. Communities in coastal Louisiana find themselves in extremely challenging situations with loss of lives, homes, and culture. In thinking about how to protect the most vulnerable of communities, the USACE should listen to the needs, input, and wisdom of those that have been in relationship with the land for generations.

Thank you for the opportunity to provide these comments.

Faye Matthews, Esq. and Naadiya Hutchinson for Taproot Earth



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
200 Dulles Drive  
Lafayette, Louisiana 70506



July 22, 2024

Ms. Sandra Stiles  
U.S. Army Corps of Engineers  
New Orleans District  
Attn: CEMVN-PDS  
7400 Leake Avenue  
New Orleans, Louisiana 70118

Dear Ms. Stiles:

Please reference the June 20, 2024, Federal Register “Notice of Intent to Prepare a Supplemental Environmental Impact Statement (SEIS) to the Revised Programmatic Environmental Impact Statement (RPEIS) for the Morganza to the Gulf of Mexico, Louisiana, Hurricane and Storm Damage Risk Reduction Project (MTG)” (Notice). In the Notice, the U.S. Army Corps of Engineers (USACE), Mississippi Valley Division, New Orleans District asked for the Fish and Wildlife Service’s (Service) comment and participation in the coordinated environmental review process for the SEIS to evaluate design changes to the authorized MTG project to meet the one percent Annual Exceedance Probability (AEP) Storm Surge Risk Reduction (100-year level of risk reduction (LORR)). The SEIS supplements the RPEIS, MTG, Louisiana, that was integrated with the 2013 Final Post Authorization Change Report (PACR). The Service accepts your invitation to participate as a cooperating agency for this effort.

According to the Notice, the MTG hurricane and storm damage reduction project is an approximately 98-mile levee system located mostly in Terrebonne and part of Lafourche Parishes, Louisiana, intended to reduce the risk of damage due to hurricane storm surges in the area. The MTG project was initially authorized by the Water Resources Development Act of 2007. The project was redesigned in the 2013 Integrated RPEIS and PACR Report to address cost increases and to meet updated post-Hurricane Katrina design guidelines. The SEIS will analyze the expected environmental impacts including indirect and cumulative effects for the final array of levee alignments and other features such as floodgates, etc.

The following comments are provided as an early planning aid in accordance with provisions of the Fish and Wildlife Coordination Act (FWCA) (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the National Environmental Policy Act of 1969 (NEPA) (83 Stat. 852, as amended; 42 U.S.C. 4321 et seq.), and the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 661 et seq.).



## **Significant Fish and Wildlife Resources to Be Considered**

### Threatened and Endangered Species and Other Species of Concern

The proposed study is located in an area where federal trust resources such as threatened and endangered species, at-risk species, nesting wading birds, and bald eagles occur. According to the Notice, the USACE will consult with the Service regarding potential project impacts to threatened and endangered species and any designated critical habitat. The USACE should obtain a list of threatened and endangered species that may occur in the proposed project location from our Information for Planning and Consultation ([IPaC](#)) online tool. The USACE should then make determinations about effects to those species using IPaC.

### Section 7(a)(1) opportunities

[Section 7\(a\)\(1\) of the ESA](#) is a conservation mandate that states, “All... Federal agencies shall ... utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species.” It is a proactive authority with a goal to recover listed species. The Service recommends throughout the study process that consideration be given to the recovery of listed and proposed species. For examples and ideas of conservation measures refer to the USACE’s 2014 [Conservation Plan for the Interior Least Tern, Pallid Sturgeon, and Fat Pocketbook Mussel in the Lower Mississippi River](#) which was developed to help comply with Sect 7(a)(1) for those species.

### At-Risk Species Opportunities

The Service’s Southeast Region has defined “at-risk species” as those that are: 1) proposed for listing under the ESA by the Service; 2) candidates for listing under the ESA, which means the species has a “warranted but precluded 12-month finding”; or 3) petitioned for listing under the ESA, which means a citizen or group has requested that the Service add them to the list of protected species. Petitioned species include those for which the Service has made a substantial 90-day finding as well as those that are under review for a 90-day finding. As the Service develops proactive conservation strategies with partners for at-risk species, the states’ Species of Greatest Conservation Need (defined as species with low or declining populations) will also be considered. Opportunities to consider for reducing the likelihood of additional species listings would be actions that benefit at-risk species. Please see [At Risk Species](#) or contact the Service’s Louisiana Ecological Services Office for further information on each species.

### Opportunities for Birds of Conservation Concern

The 1988 amendment to the FWCA mandates the Service to identify species, subspecies, and populations (hereafter taxa) of all migratory nongame birds that without additional conservation action are likely to become candidates for listing under the ESA. The Birds of Conservation Concern 2021 ([BCC 2021](#)) is the most recent effort to carry out this mandate. The Service’s goal is to work with private and public entities on proactive conservation to conserve these species, thereby precluding the need to federally list as many at-risk species as possible. Please use the link above to find several Birds of Conservation Concern known to occur within the study area.

## **Significant Habitats**

Coastal marshes, swamp, bottomland hardwood forest ([BLH] wet and dry), riparian zone, stream water bottoms, and other habitats are considered by the Service to be resources of national

importance due to their increasing scarcity and high habitat value for fish and wildlife within Federal trusteeship (i.e., migratory waterfowl, wading birds, other migratory birds, threatened and endangered species, at-risk species, and interjurisdictional fisheries).

The Service's Mitigation Policy (Federal Register, Volume 46, No. 15, January 23, 1981) identifies four resource categories that are used to ensure that the level of mitigation recommended by Service biologists will be consistent with the fish and wildlife resource values involved.

Resource Category 1 - Habitat to be impacted is of high value for evaluation species and is unique and irreplaceable on a national basis or in the ecoregion section. The mitigation goal for this Resource Category is that there should be no loss of existing habitat value.

Resource Category 2 - Habitat to be impacted is of high value for evaluation species and is relatively scarce or becoming scarce on a national basis or in the ecoregion section. The mitigation goal for habitat placed in this category is that there should be no net loss of in-kind habitat value.

Resource Category 3 - Habitat to be impacted is of high to medium value for evaluation species and is relatively abundant on a national basis. FWS's mitigation goal here is that there be no net loss of habitat value while minimizing loss of in-kind habitat value.

Resource Category 4 - Habitat to be impacted is of medium to low value for evaluation species. The mitigation goal is to minimize loss of habitat value.

The Service recommends the USACE investigate alternatives which avoid and minimize impacts to these habitats and where possible to enhance or restore them. If the below habitats cannot be avoided, mitigation will be recommended. Considering the high value of these wetlands for fish and wildlife and the relative scarcity of those habitat types, those habitat types are designated as Resource Category 2, the mitigation goal for which is no net loss of in-kind habitat value.

### Coastal Marshes

Louisiana supports the largest area of coastal marsh in North America (Coleman and Huh 2004; Couvillion et al. 2017). Marsh types in the study area include fresh, intermediate, and brackish (Enwright et al. 2014). Coastal marshes exhibit an increasing salinity gradient beginning with freshwater wetlands in the uppermost basins and near existing breaches along the bank of the Mississippi River, which transition into intermediate marsh, followed by brackish habitats, and then saline marshes towards the Gulf of Mexico. The marshes and waters of coastal Louisiana are high in biological productivity (Day et al. 1982). They serve as vital nursery areas for fish and shellfish (Van Sickle et al. 1976) as well as wildlife habitat (Lowery 1974a, 1974b). Some of the waterways and marshes in the area are identified as Essential Fish Habitat by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; P.L. 104-297). Those wetlands provide plant detritus to adjacent coastal waters and thereby contribute to the production of commercially and recreationally important fishes and shellfishes. Wetlands also provide valuable water quality functions such as reduction of excessive dissolved nutrient levels, filtering of waterborne contaminants, and removal of suspended sediment. In addition, coastal wetlands buffer storm surges and reduce their damaging effect to man-made infrastructure within the coastal area.

### Forested Wetlands (Swamp and Bottomland Hardwood Forest)

Forested wetlands (BLH and swamp) are found along the natural levees of the Mississippi River and its tributary ridges throughout the floodplain. Swamp habitat in the study area consists primarily of cypress, tupelo, and red maple. The BLH habitat consists of species such as oaks, hickories, American elm, green ash, sweetgum, sugarberry, boxelder, persimmon, honey locust, red mulberry, eastern cottonwood, and American sycamore. Swamp and BLH are valuable plant communities that provide a variety of significant benefits to wildlife including food, nesting areas, shelter, and water.

### **National Wildlife Refuges**

The Service administers the Mandalay National Wildlife Refuge (NWR) located adjacent to the study area along the Gulf Intracoastal Waterway. The Service recommends the USACE consider in their planning that NWR and any other lands with conservation mandates, such as State of Louisiana Wildlife Management Areas, that may potentially be impacted by the proposed project. The USACE should coordinate with the Refuge Project Leader (Pon Dixon, [pon\\_dixon@fws.gov](mailto:pon_dixon@fws.gov)) for any potential impacts to Mandalay NWR.

The USACE and the Service have formally committed to work together to conserve, protect, and restore fish and wildlife resources while ensuring environmental sustainability of our Nation's water resources under the January 22, 2003, Partnership Agreement for Water Resources and Fish and Wildlife. Accordingly, the Service looks forward to our continued work on the MTG SEIS. Comments and responses to this early planning aid letter can be directed to the Service's Louisiana Ecological Services Office. We appreciate the cooperation of your staff on the MTG SEIS. Should your staff have any questions regarding this letter, please have them contact Mr. David Castellanos (337-291-3112) of this office.

Sincerely,



Brigitte D. Firmin  
Field Supervisor  
Louisiana Ecological Services Office

cc:

FWS, Fisheries Conservation Office, Baton Rouge, LA  
FWS, Migratory Birds Program, Atlanta, GA  
Coastal Protection and Restoration Authority (CPRA), Baton Rouge, LA  
National Marine Fisheries Service, Baton Rouge, LA  
LA Dept. of Wildlife and Fisheries, Baton Rouge, LA  
LA Dept. of Energy and Natural Resources (CMD), Baton Rouge, LA



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**REGION 6**

DALLAS, TX 75270

July 17, 2024

Via Electronic Mail

Ms. Sandra Stiles  
U.S. Department of the Army Corps of Engineers  
New Orleans District  
Attn: CEMVN-PDC-C  
7400 Leake Avenue  
New Orleans, Louisiana 70118

RE: Request for Scoping Comments and Notice of Intent to prepare a Supplemental Environmental Impact Statement for the Morganza to the Gulf of Mexico, Louisiana, Hurricane and Storm Damage Risk Reduction (MTG) Project

Dear Ms. Stiles:

Pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500 – 1508), and our NEPA review authority under Section 309 of the Clean Air Act, the Region 6 office of the U.S. Environmental Protection Agency (EPA) reviewed the U.S. Department of the Army, Corps of Engineers' (USACE) Notice of Intent to prepare a Supplemental Environment Impact Statement (EIS) for the Morganza to the Gulf of Mexico Hurricane and Storm Damage Risk Reduction Project (MTG), in the June 20, 2024 Federal Register. The proposed Supplemental EIS supplements the Revised Programmatic EIS, that was integrated with the 2013 Final Post Authorization Change Report.

The proposed action consists of approximately 98 miles of levee system, including associated navigation, roadway, pump station fronting protection, and environmental control structures located about 60 miles southwest of New Orleans, Louisiana and includes most of Terrebonne Parish, and a portion of Lafourche Parish between the Terrebonne Parish eastern boundary and Bayou Lafourche. The purpose of this project is to reduce the risk of damage caused by hurricane storm surges. The mitigation plan for the constructible features includes restoration of 427 acres of intermediate marsh, 358 acres of brackish marsh, and 975 acres of saline marsh.

The Supplemental EIS will evaluate a reasonable range of alignment modifications that considers existing levee alignments, the least environmental damaging preferred alignment maximizing avoidance and minimization measures to sensitive habitats, and a no-action alternative.

The Supplemental EIS may analyze impacts on tidal wetlands and other waters of the U.S., aquatic resources, essential fish habitat, threatened and endangered species and their critical habitats, cultural resources, soils, navigation and navigable waters, transportation and traffic, hydrology and hydraulics, induced flooding, environmental justice, and cumulative effects of related projects in the regional area. The following recommendations are provided for your consideration when preparing a Supplemental EIS for the proposed action.

### **Air Quality**

EPA recommends the Supplemental EIS provides a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS) and non-NAAQS pollutants, criteria pollutant nonattainment areas, and potential air quality impacts of the proposed project. Such an evaluation is necessary to understand the potential impacts from temporary, long-term, or cumulative degradation of air quality.

We recommend the Supplemental EIS describes and estimates air emissions from potential construction, maintenance and operation activities, as well as proposed mitigation measures to minimize those emissions. Additionally, EPA recommends an evaluation of the following measures to reduce emissions of criteria air pollutants and hazardous air pollutants (air toxics):

- ***Existing Conditions*** – We recommend the Supplemental EIS provides a detailed discussion of ambient air conditions, NAAQS, and criteria pollutant nonattainment areas in the vicinity of the project.
- ***Quantify Emissions*** – EPA recommends the Supplemental EIS estimates emissions of criteria and hazardous air pollutants (air toxics) from the proposed project and discuss the timeframe for release of these emissions over the lifespan of the project and describe and estimate emissions from potential construction activities, as well as proposed mitigation measures to minimize these emissions. The Supplemental EIS should also consider any expected air quality/visibility impacts to Class I Federal Areas identified in 40 CFR Part 81, Subpart D.
- ***Specify Emission Sources*** – We recommend the Supplemental EIS specifies all emission sources by pollutant from mobile sources (on and off-road), stationary sources (including portable and temporary emission units), fugitive emission sources, area sources, and



ground disturbance. This source specific information should be used to identify appropriate mitigation measures and areas in need of the greatest attention.

- ***Construction Emissions Mitigation Plan*** – EPA recommends the Supplemental EIS includes a draft Construction Emissions Mitigation Plan and ultimately adopt this plan in the Record of Decision. We recommend all applicable local, state (e.g., coordination of land-clearing activities with the state air quality agency to determine air quality conditions such as atmospheric inversions prior to performing open burning activities), or Federal requirements (e.g., certification of non-road engines as in compliance with the EPA Tier 4 regulations found at 40 CFR Parts 89 and 1039) be included in the Construction Emissions Mitigation Plan in order to reduce impacts associated with emissions of particulate matter and other toxics from any potential construction-related activities.

#### **Hazardous Materials, Hazardous Waste, and Solid Waste**

EPA recommends the Supplemental EIS addresses potential direct, indirect, and cumulative impacts of solid and hazardous waste from construction, maintenance, and operation of the proposed project. The Supplemental EIS should identify projected solid and hazardous waste types, volumes, accidental releases, and expected storage, disposal, management, safety, and contingency plans, as appropriate. We recommend USACE addresses the applicability of state and federal hazardous waste requirements. Appropriate mitigation should be evaluated, including measures to minimize the generation of hazardous waste (i.e., hazardous waste minimization). Alternate industrial processes using less toxic materials should be evaluated as mitigation since such processes could reduce the volume or toxicity of hazardous materials requiring management and disposal as hazardous waste. We recommend USACE identifies the location of hazardous waste and toxic chemical sites within the scope of the project's geographical area and discuss any relevant information associated with the construction, maintenance, and operation of the proposed action.

#### **Water Resources and Water Quality**

EPA recommends the USACE complies with applicable Clean Water (i.e., Sections 404, 402, and Section 303(d)) and Safe Drinking Water Acts for the proposed project and include a discussion in the Supplemental EIS. If vegetation is to be disturbed, the EPA recommends that revegetation techniques are included, along with a revegetation monitoring strategy.

EPA recommends identifying all local waterbody segments that may be impacted by the proposed action. To ensure the proposed action does not cause significant long-term impacts to local waterbodies, USACE should identify any impaired waterbodies, their impairment, and mitigation strategies.

Section 404 of the Clean Water Act (CWA 404) regulates the discharge of dredged or fill material into waters of the United States, including wetlands, streams, and other special aquatic sites. An evaluation of the project alternatives, as well as alternatives to avoid and minimize impacts, and a compensatory mitigation plan for unavoidable CWA 404 impacts will ensure that the documentation has sufficient information to demonstrate whether potential adverse impacts to aquatic resources have been adequately characterized and addressed.

For 40 CFR § 122.26(b)(14)(x) and 40 CFR § 122.26(b)(15)(i) National Pollutant Discharge Elimination System (NPDES) regulations (applicable to State NPDES programs, see § 123.25) which authorize the discharge of stormwater from large and small construction activities, all entities associated with a construction project who: 1) meet the NPDES permitting authority's definition of "operator," 2) cause an earth disturbance of 1 acre or greater, or less than one acre if part of a larger common plan of development or sale that ultimately disturbs 1 acre or greater, and 3) discharge stormwater from their construction activities (including any on- and off-site construction support activities), are required to obtain NPDES permit coverage via the Construction General Permit (CGP) or other NPDES permit from the NPDES permitting authority prior to beginning construction activities and/or construction support activities.

Because the overall earth disturbance of this project is greater than 1 acre, the larger common plan of development or sale is triggered at each location, therefore stormwater discharges from all construction activities and on-site or off-site construction support activities (i.e., borrow pits, staging areas, material storage areas, temporary batch plants, laydown areas, etc.) are required to obtain NPDES permit coverage via the CGP or other NPDES permit (except any portion of the project's construction activities that is covered by a CWA 404 permit or waived from permit coverage) regardless if the smaller project's earth disturbance is less than 1 acre at each location. In Louisiana, the Louisiana Department of Environmental Quality (LDEQ) is the NPDES permitting authority, except on Indian Country.

### **Environmental Justice and Impacted Communities**

EPA recommends USACE complies with Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, and Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*.

We recommend the Supplemental EIS includes an evaluation of minority and low-income populations in proximity to the geographic scope of the proposed action and use of available tools (e.g., EJ Screen Mapping Tool<sup>1</sup>, U.S. Census Bureau, area knowledge) to identify and screen populations potentially impacted by the proposed action. Figures and maps should

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<sup>1</sup> www. <https://ejscreen.epa.gov/mapper/>

depict the various alternatives considered in relation to the study area, including natural resources, schools, minority and low-income populations, and impacted stakeholders. Also, EPA recommend USACE utilizes the Promising Practices for EJ Methodologies in NEPA Reviews<sup>2</sup> to supplement the applicable requirements for considering and analyzing minority and low-income populations for the proposed action.

EPA recommends USACE performs meaningful engagement and comprehensive outreach with minority and low-income population and applicable stakeholders to notify them of potential impacts of the proposed action. Meetings should be held at times and in locations that are easily accessible by the minority and low-income populations and applicable stakeholders. We recommend the comprehensive communication strategy includes various forms of media and languages to adequately inform communities impacted by the proposed action.

Guidance<sup>3</sup> by the CEQ clarifies the terms low-income and minority population and describes the factors to consider when evaluating disproportionately high and adverse impacts from the proposed and connected actions. USACE should incorporate a discussion in the Supplemental EIS whether and how the proposed action creates or increases disproportionately high and adverse impacts to the minority and low-income populations and affects previous mitigation measures at the existing operations and facilities, connected actions, and proposed mitigation measures for the proposed action. If the proposed action tiers from an EIS, EPA recommends the analysis is applicable for the proposed specific actions and conditions, as warranted, and incorporated by reference.

Additionally, EPA recommends USACE discusses the cumulative impacts of approved projects, concurrently proposed projects, and reasonably foreseeable planned actions on minority and low-income populations in the project's geographical area. The Supplemental EIS should discuss the short- and long-term effects of the proposed action on the surrounding area, community resiliency, backwater flow, induced flooding, socioeconomic factors, and other impacts to environmental justice populations.

### **Consultation with Tribal Governments**

EPA recommends the USACE complies with Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments* (November 6, 2000) as applicable. We recommend the Supplemental EIS describes the process and outcome of government-to-government consultation between USACE and each of the tribal governments affected by the

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<sup>2</sup> <https://www.epa.gov/environmentaljustice/ej-iwg-promising-practices-ej-methodologies-nepa-reviews>

<sup>3</sup> Environmental Justice Guidance under the National Environmental Policy Act, Appendix A (Guidance for Federal Agencies on Key Terms in Executive Order 12898), CEQ, December 10, 1997.

proposed action, issues that were raised (if any), and how those issues were addressed in the selection of the proposed alternative.

### **Children's Health and Safety**

Executive Order 13045, *Protection of Children from Environmental Health Risks and Safety Risks* directs each Federal agency, to the extent permitted by law, to make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and to ensure that its policies, programs, activities, and standards address these risks. The America's Children and Environment Report presents data on children's environmental health at: <https://www.epa.gov/children>. We recommend the environmental document address impacts of the proposed action on children's health and safety, as applicable.

### **Pesticides**

EPA recommends limited use of pesticides and herbicides near riparian zones and surface water systems. Measures should be taken to avoid pesticide and herbicide run-off into surface and ground waters. EPA Endangered Species Protection Act Bulletins are published for Pesticide Use Limitation Areas, which are areas where certain pesticide active ingredients and/or products are limited due to adverse effects on endangered species. EPA recommends USACE reviews and implements EPA Endangered Species Protection Act Bulletins, as appropriate. Those who apply Restricted Use Pesticides in Indian Country are required to hold a "Federal Certification to Apply Restricted Use Pesticides in Indian Country" certificate, in addition to applicable state certifications in the appropriate categories for the pesticide application. Additionally, it is recommended that those who apply general use or limited use pesticides in Indian Country hold a federal certificate to ensure understanding of all federal rules associated with the application of pesticides in Indian Country.

### **General Comments**

Pursuant to 40 CFR § 1502.17, the Supplemental EIS or appendix shall include a summary of information submitted by commenters during the scoping process for consideration in the development of the Supplemental EIS. Additionally, pursuant to 40 CFR § 1502.15, the Supplement EIS shall succinctly describe the environment of the area(s) to be affected by the alternatives under consideration. Further, USACE shall use high-quality information, including reliable data and resources, models, and indigenous knowledge, to describe reasonably foreseeable trends and provide relevant information consistent with § 1502.21.

Lastly, the NEPAAssist Tool is available for use in the environmental review process and project planning and can be located at: <https://www.epa.gov/nepa/nepassist>. The following resources may be helpful:

- EnviroMapper: <https://enviro.epa.gov/enviro/em4ef.home>



- Envirofacts: <https://enviro.epa.gov/>
- 303(d) Listed Impaired Waters: <https://www.epa.gov/tmdl>

If you have any questions regarding our recommendations, please contact Kimeka Price at (214) 665-7438 or [price.kimeka@epa.gov](mailto:price.kimeka@epa.gov).

Sincerely,

Robert Houston  
Branch Manager  
Environmental Justice, Community Engagement and  
Environmental Review Division