APPENDIX J

Public Comments and Responses

J-1.0 SUMMARY

This document describes the public comments and responses by the U.S. Army Corps of Engineers (USACE), New Orleans District (CEMVN) regarding the Draft Integrated General Reevaluation Report and Suplemental Environmental Impact Statement (Draft GRR/SEIS) for the Mississippi River Ship Channel Gulf to Baton Rouge, La study. In accordance with the Council of Environmental Quality regulations (40 CFR §1503.1) for implementing the National Environmental Policy Act of 1969, the CEMVN issued a Notice of Availability dated December 16, 2016, inviting public participation and comment on the Draft GRR/SEIS, which was published by the U.S. Environmental Protection Agency in the Federal Register Volume 81, No. 242, December 16, 2016, page 91169. The Draft GRR/SEIS was distributed for review and comment to Federal, state, and local agencies; Tribes; libraries; and other interested parties. The Draft GRR/SEIS was also posted on the study webpage: http://www.mvn.usace.army.mil/About/Mississippi-River-Ship-Channel/. Comments on the Draft GRR/SEIS were requested during the 45-day comment period from December 16, 2016 toJanuary 31, 2017.

Two public hearings were held during the comment period on 14 December 2016 and 26 January 2017 at the USACE New Orleans District Office, 7400 Leake Ave. New Orleans, LA 70118.

Comments made during the meetings were memorialized either by a court reporter or on hand-written comment cards provided to the attendees at the meetings. A cumulative total of 20 people attended the 2 public hearings, with a total of 6 individuals offering oral questions which were responded to in the form of clairfications at the hearings. CEMVN received written comments from 10 Federal, state, parish and local governments, and written comments from 5 members of the public, all of which were postmarked within the comment period.

Comments received from members of the public are included within this Appendix. Agency comments are included in Appendix A.

J-2.0 COMMENTS

The formal NEPA comments presented at the public hearings, as well as all other comments (letter, email, comment cards, and telephone) on the Draft GRR/SEIS are presented in Table J-1.

Table J-1 Public Comments

Comment #	Person/ Agency/ Tribe	Date	Mode of Comment	Theme	Comment (may be paraphrased)	Response
1	Big River Coaltion	30-Jan-17	letter	Navigation	Fully supports deepening	Acknowledged
1a	Big River Coaltion	30-Jan-17	letter	Navigation	Requested consideration to extend the proposed channel deepening to RM 181	This was addressed through evaluation of additional alternatives in the 2D hydraulic model, and a change in the NED Plan, as discussed in Chapter 3.
2	Ports Association of LA	16-Dec-17	letter	Navigation	Fully supports deepening	Acknowledged
3	Paul Polinger	17-Jan-17	email	Navigation	Objected to deepening, recommended connector vessels/light loading as an alternative	Acknowldged; this suggestion is addressed in Chapter 3
4	Paul Polinger	12-Jan-17	letter	Navigation	Objected to deepening, recommended connector vessels/light loading as an alternative	Acknowldged; this suggestion is addressed in Chapter 3
5	State Senator Sharon Hewitt	18-Jan-17	email	Commerce	Fully supports deepening	Acknowledged
6	Entergy	10-Jan-17	email	Utility line location	No objection to deepening	Acknowledged

Comment #	Person/ Agency/ Tribe	Date	Mode of Comment	Theme	Comment (may be paraphrased)	Response
7	Jena Band of Choctaw	16-Aug-17	email	Tribal Resource	No Adverse Effect to Historical Property Concurrence	Acknowledged
8	LDNR	10-Jan-17	letter	Coastal Zone Resources	Requsted clarification of Federal Standard, Recommended broader scope for cumulative impacts analysis	Response letter/resolution is in Appendix A-21
9	SHPO	25-Aug-17	letter	NHPA 106	No Historic Properties Affected Concurrence	Acknowledged
10	LDWF	19-Jul-17	letter	Marsh construction/species protection	Provided recommendations on marsh construction and avoidance/minimization of impacts to protected species	Acknowledged; Response and Resolution included in Appendix 8b
11	LDEQ	17-Jan-17	email	Air Quality Compliance	Requested additional information regarding schedule	A schedule was developed that will allow construction to proceed without exceeding de minimus emission levels in non-attainment areas, December 2017
12	EPA	30-Jan-17	letter	Envrionmental Justice/Air Quality	Requested EJ evaluation/Air quaility clarification	Response/resolution is in Appendix A-23
13	EPA	29-Mar-17	email	Air Quality Compliance	Concured that changes to Draft SEIS are acceptable	Acknowledged; Response/resolution is in Appendix A-23

Comment #	Person/ Agency/ Tribe	Date	Mode of Comment	Theme	Comment (may be paraphrased)	Response
14	NMFS	4-Jan-17	letter	Essential Fish Habitat	Provided informal EFH comments, Requested copy of final draft	Acknowledged; Response/resolution is in Appendix A-19
15	US Department of the Interior	30-Jan-17	letter	Compiled Comments from DOI agencies of USFWS, NMFS, and USGS	Comments from USFWS and NMFS were previously submitted seperately. The only new comment (from USGS) identified stream gages to avoid while dredging	Acknowledged
16	USFWS	29-Jun-17	letter	Fish and Wildlife Coordination	Provided Final Fish and Wildlife Coordination Act Report	Acknowledged; Responses to FCAR Recommendations included in App. A
17	LaDOTD Sharon Balfour	14-Dec-16	Verbal	Cost Share	Cost Share for the project was changed from 50/50 to 75/25 for construction per WRDA 2016	Acknowledged. As the result of implementation guidance received cost share was revised through out the report
18	Port of New Orleans Matt Gresham	14-Dec-16	Verbal	Statement of Support	Expressed support of the project and completion of the report	Acknowledged
19	Port Association of Louisiana Joseph Accardo	14-Dec-16	Verbal	Statement	Stated that written comments would be submitted	Acknowledged. Letter received on 16-Dec-17.

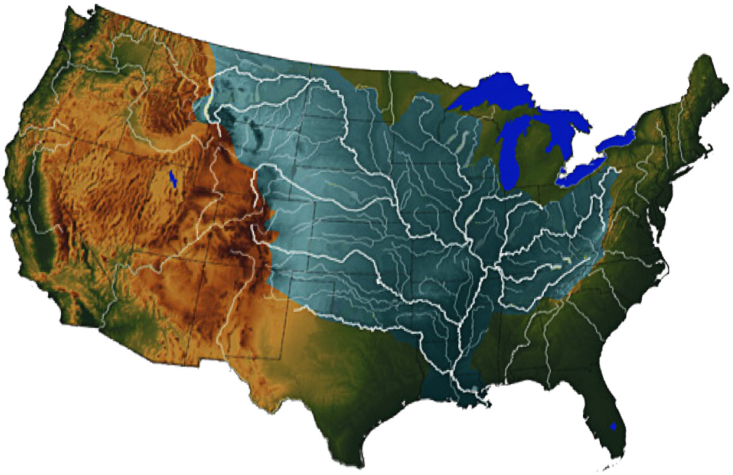
Comment #	Person/ Agency/ Tribe	Date	Mode of Comment	Theme	Comment (may be paraphrased)	Response
20	Mr. Hess	26-Jan-17	Verbal	Dredge Material	Asked for clarification on the benficial use of dredge disposal	Additional information was provided as a response in the meeting. (Refer to Annex 2)
21	Mr. Lambert	26-Jan-17	Verbal	Beneficial Use of Dredge Material	Asked for clarification on beneficial use of dredge material	Additional information was provided as a response in the meeting. (Refer to Annex 2)
22	LaDOTD Sharon Balfour	26-Jan-17	Verbal	Cost Share	Reiterated that WRDA 2016 chaged the cost share from 50/50 to 75/25	Acknowledged. As the result of implementation guidance received cost share was revised through out the report
23	Big River Coilation Sean Duffy	26-Jan-17	Verbal	Beneficial Use of Dredge Material	Provided additional information on beneficial use of dredge material in the lower portion of the river	Aknowledged. (Refer to Annex 2)
24	Phil Jones LaDOTD	06-Oct-2017	Verbal	Deepening of the Port of Baton Rouge	At the USACE meeting held on 06-Oct-2017 to confirm the Tentatively Selected Plan for release of the draft report, LaDOTD provided a verbal statement of support but requested further consideration of deepening to 50 ft through the Port of Baton Rouge.	This was addressed through evaluation of additional alternatives in the 2D hydraulic model, and a change in the NED Plan, as discussed in Chapter 3.

Annex 1

Public Comments

The enclosed includes the Public Comments received as of the end of the public review period of the draft report. The Public Review began on 16-Dec-2016 and ended on 31-January-2017.

BIG RIVER COALITION



Sean M. Duffy, Sr.
Executive Director
4741 Utica Street, Suite 200
Metairie, LA 70006

Office (504) 833-4190 x 805
Cellular (504) 338-3165

January 30, 2017

Mr. Steve Roberts
U.S. Army Corps of Engineers
CEMVN-PD
7400 Leake Avenue
New Orleans, LA 70118

Re: Draft Integrated General Reevaluation Report & Supplemental Environmental Impact Statement Comments

Mr. Roberts,

The Big River Coalition (BRC) was created in Fiscal Year 2011 in response to the announcement by the Commander of the United States Army Corps of Engineers' (USACE) Mississippi Valley Division that channel maintenance on the Mississippi River Ship Channel, Gulf to Baton Rouge (Louisiana) would be limited by the dedicated funding (Operations and Maintenance [O&M] budget). Prior to this position change the Mississippi River Ship Channel received preferential treatment and often received additional funding from other USACE projects. After the 1989 grounding of the M/V MARSHAL KONYEV (Pilottown) that, in essence, closed the Ship Channel to all traffic, the USACE's Headquarters announced in a position statement that it would maintain the nation's most critical navigation channel. The BRC originally focused on obtaining additional funding to supplement the shortfall in the Corps' O&M budget, to strive to establish a legislative firewall around the Harbor Maintenance Trust Fund and to represent members of the Mississippi River navigation industry in matters related to coastal restoration. As our membership grew and continued to make effective progress on these initiatives, members supported the Coalition's commitment to actively advocate for the deepening of the Mississippi River Ship Channel Gulf to Baton Rouge to 50 feet.

The Coalition's membership depends on the federal investments on the navigation structures and channels across the 31 states that are connected by the Mississippi River and Tributaries (MRT). Recent economic studies indicate the MRT has an annual economic impact of over $400 billion on the national economy, while our transportation infrastructure and channels suffer from neglect as perpetuated by long-term underinvestment. The review of the Draft General Reevaluation Report (GRR) and Supplemental Environmental Impact Study (SEIS) is critical to the process of deepening the Mississippi River Ship Channel to the neopanamax depth of 50 feet.

The GRR and SEIS were provided by the U.S. Army Corps of Engineers (USACE) in partnership with the Louisiana Department of Transportation and Development (LDOTD). The integrated draft report documents that the channel deepening project offers significant reductions in transportation costs and adds the environmental benefit of immediately creating 1,500 acres of land along the Mississippi River Delta (bird's-foot delta).

The Big River Coalition acknowledges that the proposed Tentatively Selected Plan (TSP) for the next phase of construction is to deepen the Mississippi River Ship Channel (MRSC) to 50 feet from the entrance at Southwest Pass (Mile 22 Below Head of Passes) to Mile 168.5 Above Head of Passes (AHP). The TSP includes deepening the following three MRSC Crossings: Rich Bend (Mile 158.8 AHP); Belmont (Mile 154.2 AHP); and Fairview (Mile 115.7 AHP) to 50 feet based on the Low Water Reference Plane (LWRP). The area of Southwest Pass, or more specifically from Mile 13.4 AHP to Mile 22 Below Head of Passes, would be deepened to 50 feet on the Mean Lower Low Water (MLLW) datum.

This coincides with the selected National Economic Development (NED) plan that was developed by comparing the construction costs of deepening, the increase in annual incremental operations and maintenance costs and the average projected economic benefits.

The Draft GRR and SEIS have produced the following TSP:

> "Tentatively Selected Plan (TSP): The Tentatively Selected Plan (TSP) for the next phase of construction, is alternative 3d. This alternative is to deepen the MRSC to a depth of 50 ft LWRP for the 3 crossings located within the footprint of the Port of South Louisiana and a depth of 50 ft MLLW in the Lower Mississippi River from RM 13.4 AHP to RM 22 BHP. The 9 crossings located within the footprint of the Port of Baton Rouge would remain at 45 ft LWRP."

The identified TSP suggests a total investment cost of $92,882,068 and based on the Water Infrastructure Improvements for the Nation Act (WIIN) that was signed into Public Law No: 114-322 by President Obama on December 6, 2016 the Federal cost share is now seventy-five percent and the non-Federal portion is twenty-five percent. **Thus, if the documented total cost is accurate the Federal responsibility is $69,661,551 and the non-Federal (LDOTD) is $23,220,517.**

The Big River Coalition believes that the return on investment, although hard to accurately predict, could indeed be sizably higher. To highlight that point, simply focus on agricultural exports while tracking that the world population is expected to nearly double in the next 50 years. The need to feed both people and livestock will simultaneously increase during this same period and agricultural productivity must keep pace. The Mississippi River Ship Channel is the chosen artery of trade for the distribution of sixty to seventy-five percent of the United States annual agricultural exports.

The United Nations Educational, Scientific and Cultural Organization (UNESCO) predicted the following need for increased agricultural yields to nourish the ever-growing world population in a report titled:

" How to Feed the World in 2050"

"By 2050 the world's population will reach 9.1 billion, 34 percent higher than today. Nearly all of this population increase will occur in developing countries. Urbanization will continue at an accelerated pace, and about 70 percent of the world's population will be urban (compared to 49 percent today). Income levels will be many multiples of what they are now. In order to feed this larger, more urban and richer population, food production (net of food used for biofuels) must increase by 70 percent. Annual cereal production will need to rise to about 3 billion tonnes from 2.1 billion today and annual meat production will need to rise by over 200 million tonnes to reach 470 million tonnes.

This report argues that the required increase in food production can be achieved if the necessary investment is undertaken and policies conducive to agricultural production are put in place. But increasing production is not sufficient to achieve food security. It must be complemented by policies to enhance access by fighting poverty, especially in rural areas, as well as effective safety net programmes."

The proposed TSP suggests the deepening above New Orleans to 50 feet LWRP would end at Mile 168.5 after deepening the following three Crossings: Rich Bend (Mile 158.8 AHP); Belmont (Mile 154.2 AHP); and Fairview (Mile 115.7 AHP). The estimated quantity of additional material to be dredged from the three Crossings to the increased depth is just over three million cubic yards. However, the Coalition would like to suggest that the proposed break between 50 feet LWRP and 45 feet LWRP be matched to that of the previous deepening project.

When completed in December 1987 the channel was deepened from 40 feet to a depth of 45 feet from the Gulf of Mexico to Donaldsonville (LA) at Mile 181 AHP. During the next phase of that deepening the entire channel was deepened to 45 feet in 1994. Although, the current TSP includes cutting off the 50 feet LWRP at Mile 168.5 AHP. In reviewing the data in the provided Engineering Appendix (Appendix C), the Big River Coalition understands that the request to extend the channel to Mile 181 AHP, as done during the previous deepening effort, would mean that only one additional Crossing would need to be dredged. Specifically, that to extend the

deepened MRSC to Mile 181 AHP an additional 1.5 million cubic yards of material would have to be removed from Smoke Bend Crossing at Mile 175 AHP.

The Coalition requests that extending the proposed channel deepening to Mile 181 be considered. Based on the estimated dredging costs of $2.5 million (or less) to remove the additional 1.5 million cubic yards of material at Smoke Bend by dustpan dredge, the impact on the overall cost of the project is minimal. Based on this cost estimate, the need to only deepen one additional Crossing and because of the additional facilities that would be included within that extra 12.5 miles of channel at 50 feet LWRP, the Coalition remains hopeful that this request can be properly reviewed without delaying the advertised schedule or negatively impacting the identified benefit cost ratio. The Coalition is also willing to assist in data collection and providing contacts for the facilities between River Mile 168.5 AHP and 181 AHP.

The membership of the Big River Coalition applauds the efforts of the United States Army Corps of Engineers and the Louisiana Department of Transportation and Development (non-Federal sponsor) in delivering this draft report. The Coalition intends to assist in securing support and commitments in order to ensure the Mississippi River Ship Channel is brought into the neopanamax-age and deepened to 50 feet.

Sincerely,

Sean M. Duffy, Sr.

Sean M. Duffy, Sr.
Executive Director

From: ppollinger@comcast.net
To: Roberts, Steve W CIV CPMS (US)
Subject: [EXTERNAL] Your friend Paul Pollinger wants to share an online publication with you
Date: Monday, December 12, 2016 11:13:40 AM

Testimony, USACE, Environment Compliance Branch, Steve Roberts, steve.w.roberts@usace.army.mil Mr. Roberts: The attached opinion article, page 7, concerning Container on Barge addresses proposed deep dredging of the lower Mississippi River from the Head of Passes up to Baton Rouge and is part of my testimony. The summary is that the proposed dredging is wasteful of tax payer funds when compared to the connector vessel option, provides less jobs than the alternative, is anti-business as it subsidizes forever one form of shipping over the other, and so far has not shown the total cost such as mediating the cost of salt water moving further upstream, raising bridges due to possible air draft requirements, and damage to free markets at smaller ports. Funds for deep dredging can be used in better ways. Specifically, what about showing how a brown/blue water connector barge best serves the new inland waterways container industry and more ports? A mere 20% of the first years' deep dredging costs can fund a three year demonstration to prove the worth of these barges that require no deep dredging. In addition second year dredging maintenance cost is 50% more than the total demonstration cost and that dredging maintenance costs goes on forever. On the other hand the demonstration barge and cranes have an economic life of 25 years and there is a worldwide demand for such equipment. Thus the demonstration risks are quite small. The Waterways Journal, the inland paper of record, has published any number of persons and organizations all wanting to see Container on Barge happen. The main excuse is that there are no funds. The US Congress, the USACE and the dredgers must believe the funds can be available or why would they have this study? So through these documented savings Congress can immediately authorize funds demonstrate brown/blue water barges on US waterways for the US taxpayers benefits that have been long in coming. Paul G. Pollinger 3713 Fulton St. NW, Washington, DC 20007 202 965-4799 ppollinger@comcast.net

Paul Pollinger like the following online publication and would like to share it with you. To read the online publication, click here: http://digitalmagazines.marinelink.com/sname/marinetechnology/201610/index.html

<http://digitalmagazines.marinelink.com/sname/marinetechnology/201610/index.html>

From: Roberts, Steve W CIV CPMS (US)
To: Vititoe, Jennifer M CIV USARMY CEMVN (US)
Subject: FW: [EXTERNAL] Tetimony, Mississippi Rivere Ship Channel
Date: Friday, March 24, 2017 4:10:22 PM

Steve Roberts
Environmental Manager
New Orleans District
504-862-2517

-----Original Message-----
From: Paul Pollinger [mailto:paulpollinger@gmail.com]
Sent: Tuesday, January 17, 2017 8:22 AM
To: Roberts, Steve W CIV CPMS (US) <Steve.W.Roberts@usace.army.mil>
Subject: [EXTERNAL] Tetimony, Mississippi Rivere Ship Channel

Jan. 17, 2017

Steve Roberts, USACE

Environmental Compliance Branch

7400 Leake Avenue

New Orleans, LA 70118

Mr. Roberts:

Please insert/present the following as testimony, for a meeting/presentation on 1/17/2017, concerning the Mississippi River Ship Channel (Tentative Selected Plan).

I have been objecting for years to the premise that new Panamax ships need to come up the Mississippi to New Orleans and therefore costly deep dredging to 50 feet is required. In addition, the diversion costs to get new Panamax ships up the Mississippi should be addressed here. I have proposed that connector vessels can do the job of offloading shipments and delivering products to Mississippi River inland ports more cost effectively than deep dredging to 50 feet (or more).

In the past, dredging to 50' near the Head of Passes to Baton Rouge was estimated by dredgers and the United States Army Corps of Engineers (USACE) to be $300 million to start with and $90 million every year thereafter. After my articles appeared in the Waterways Journal and the SNAME "mt" magazine bolstering my objections, the USACE Tentatively Selected Plan (TSP) now offers a proposed reduction in the amount of dredging and estimated costs

lowered to $88.9 million the first year and $21.6 million every year thereafter. The 50-foot-deep dredging is tentatively planned to occur in two sections. One is from 22 miles below the Head of Passes to about 13 miles above the Head of Passes for about 35 miles. The second is from mile 115 to mile 168.3 for about 53.3 miles but not all the way to Baton Rouge which would maintain its current 45-foot depth.

There is no question that the above dollar reductions are savings which are significant and laudable but my point is that there is no need for deep dredging the lower Mississippi River to 50' at all. Connector vessels can load containers and cargo at deep water hubs, sail up to the Head of Passes and then up to the great US inland markets without transshipping their cargo and with no subsidized deep dredging or diversion expenses. Large bulk vessels can be serviced near the Head of Passes by midstream transfers of cargo as is already being done by equipment on the lower Mississippi River with it 45-48 and less foot drafts. Again, no deep dredging is needed for such vessel to vessel loading and many such transshipments are already made in mid-stream near NOLA and elsewhere in the world. Our brown/blue water barge, for example, can be a connector vessel needing only 21 feet of draft at most.

The Port of Montreal apparently looked at dredging to 50' to accommodate new Panamax vessels but concluded it was economically unviable and have chosen not to dredge. That port uses connector vessels and lightly loaded vessels in a 37' channel and has long surpassed NOLA in ocean container volume. This might encourage USACE to look again at the usefulness of connector vessels.

Then, the saved dredging funds could instead go to positioning cranes at inland ports such as St. Louis, MO and even Helena Harbor, AR where the container count and jobs could substantially increase.

Although the use of connector vessels and light loading has been happening for years, the operations at Montreal demonstrate, without question, that there are real options to deep dredging.

For hundreds of years, port operators have asked to have their ports dredged deeper. The USACE has presented no empirical data that such dredging is worthwhile or even attempted to publish a comparison to the connector vessel option. Where is the data to show that dredging will "minimize the costs of light loading, that it will increase efficiencies of operation and maintenance"? How does this compare to not doing any dredging to 50' year after year and to using connector vessels in lieu of ships with 50' draft? Who pays for the diversion cost of 50' draft vessels from their main trade lane? The subject of reducing ocean container transportation costs to and from inland "doors" has not been addressed.

Perhaps the ongoing $1,593,000 Army Civil Works Program FY 2016 navigation study will answer many of the above questions. Hopefully that study participants and oversight committee will include logistics, naval architects, floating crane designers, discrete simulation designers, container/chassis suppliers, and others. Until that study is completed, the above TSP is based only on speculation and undocumented opinion.

Thank you for including this testimony in the public comments.

Paul Pollinger

paulpollinger@gmail.com <mailto:paulpollinger@gmail.com> , Washington, DC 20007-1343 202 965-4799

From:	Linda (Brown) Hardy
To:	Roberts, Steve W CIV CPMS (US)
Cc:	Yasoob Zia
Subject:	[EXTERNAL] DEQ SOV 161207/1400 Draft EIS for the MS River Ship Channel, Gulf to Baton Rouge Project
Date:	Tuesday, January 17, 2017 1:22:25 PM

January 17, 2017

Joan M. Exnicios, Chief

USACE Environmental Compliance Branch

P.O. Box 60267

New Orleans, LA 70160-0267

steve.w.roberts@usace.army.mil <mailto:steve.w.roberts@usace.army.mil>

RE: 161207/1400

Draft EIS for the MS River Ship Channel, Gulf to Baton Rouge Project

USACE Funding

Dear Ms. Exnicios:

The Assessment Division of the Office of Environmental Compliance has reviewed the information provided in your letter dated November, 28, 2016, regarding the referenced project. Effective July 20, 2012, East Baton Rouge Parish, West Baton Rouge Parish, Iberville Parish, and Ascension Parish were designated by EPA as an ozone nonattainment parish under the 8-hour standard (77 FR 30088, May 21, 2012). As part of the Baton Rouge ozone nonattainment area, federal activities proposed in East Baton Rouge Parish, West Baton Rouge Parish, Iberville Parish, and Ascension Parish

may be subject to the State's general conformity regulations as promulgated under LAC 33:III.Chapter 14, Subchapter A, Determining Conformity of General Federal Actions to State or Federal Implementation Plans.

In order to determine if the proposed project in East Baton Rouge Parish, West Baton Rouge Parish, Iberville Parish, and Ascension Parish is subject to the full requirements of the general conformity regulations, the project sponsor must first make a general conformity applicability determination. This determination can be made by summing the total of direct and indirect volatile organic compound (VOC) and nitrogen oxide (NOx) emissions caused by the project. If the net total of VOC and NOx emissions is determined to be less than the prescribed de minimis level of 100 tons per year per pollutant, then this action will comply with the conformity provisions of Louisiana's State Implementation Plan (SIP) and the Assessment Division will not object to implementation of the project.

Please email your general conformity applicability determination to linda.hardy@la.gov <mailto:linda.hardy@la.gov> . Should you have any questions regarding state rules and regulations pertaining to general conformity, please contact me at (225) 219-2969. Thank you for affording us the opportunity to comment on the proposed action.

Sincerely,

Yasoob Zia

Environmental Senior Scientist

Assessment Division

SOV # 161207/1400

Linda M. Hardy

Louisiana Dept. of Environmental Quality

Office of the Secretary

P.O. Box 4301

Baton Rouge, LA 70821-4301

Phone: (225) 219-3954

Fax: (225) 219-3971

Email: linda.hardy@la.gov <mailto:linda.hardy@la.gov>

From: Hewitt, Sen. (District Office)
To: MSRCADMIN
Cc: dheaphy@stbernardport.com; Denise Kraesig
Subject: [EXTERNAL] Dredging of Mississippi River
Date: Wednesday, January 18, 2017 1:41:01 PM

To Whom It May Concern,

Attached you will find the letter regarding the Dredging of the Mississippi. Senator Hewitt shows her support of the proposed dredging of the Mississippi River at South West Pass. This will greatly improve access to the Port of St. Bernard and will provide economic benefits to the state and the local economy.

Thank you,

Jill Bergeron

Legislative Assistant

Senator Sharon Hewitt

2055 2nd St. Ste A

Slidell, LA 70458

Telephone: (985) 646-6490

Facsimile: (985) 646-6497

100 Port Blvd Ste 20

Chalmette, LA 70043

Telephone: (504) 278-6530

hewitts@legis.la.gov <Blockedhttps://webmail.legis.state.la.us/owa/UrlBlockedError.aspx>

From: Cotaya, Matthew
To: MSRCADMIN
Cc: Janicki, Zane J CIV USARMY CEMVN (US)
Subject: [EXTERNAL] RE: Mississippi River Deepening - Alternative 3d
Date: Tuesday, January 10, 2017 2:13:55 PM

Steve/Zane

Thank you for the report. Jennifer Vititoe actually provided the report to us (Entergy) last week. I just heard back from my Data Maintenance department and Entergy does not have any conflicts for this project.

Thank you and best of luck with this project!

Matthew Cotaya, P.E.
Distribution Engineer
Entergy Louisiana, LLC
504-365-2925 office
504-250-2006 cell

-----Original Message-----
From: MSRCADMIN [mailto:MSRCADMIN@usace.army.mil]
Sent: Tuesday, January 10, 2017 01:20 PM
To: Cotaya, Matthew
Cc: Janicki, Zane J CIV USARMY CEMVN (US)
Subject: RE: Mississippi River Deepening - Alternative 3d

EXTERNAL SENDER. DO NOT click links, or open attachments, if sender is unknown, or the message seems suspicious in any way. DO NOT provide your user ID or password.

Mr. Cotaya,

The report is accessible at this website: Blockedhttp://www.mvn.usace.army.mil/About/Mississippi-River-Ship-Channel/

Zane Janicki (Cc'd) is our POC for relocations if you have any questions.

Thanks for your interest.

Steve Roberts
Environmental Manager
New Orleans District
504-862-2517

-----Original Message-----
From: Cotaya, Matthew [mailto:mcotaya@entergy.com]
Sent: Monday, December 19, 2016 2:03 PM
To: MSRCADMIN <MSRCADMIN@usace.army.mil>
Subject: [EXTERNAL] Mississippi River Deepening - Alternative 3d

Attn: Mr. Steve Roberts

Good afternoon

My name is Matthew Cotaya. I am the Field Engineer for Entergy's distribution facilities in Southeast Louisiana. I received a letter about the "Tentatively Selected Plan (TSP) called Alternative 3d" concerning the project to deepen the Mississippi River.

I would like to receive a copy of the Integrated Draft Report and possibly a copy of the project drawings if possible to verify that Entergy does not have any conflicting facilities.

Thank you,

Matthew Cotaya, P.E.

Distribution Engineer

Entergy Louisiana, LLC

504-365-2925 office

504-250-2006 cell

Annex 2

Transcript of Public Meetings

The enclosed includes transcripts of the public meetings held on 14 December 2016 and 26 January 2016.

U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI RIVER SHIP CHANNEL

GULF TO BATON ROUGE, LOUISIANA

NEW ORLEANS, LOUISIANA

DECEMBER 14, 2016

REPORTED BY:

Dawn R. Yaeger
Certified Court Reporter
Certificate No. 86163

MR. POCHE:

Good morning, everyone. Thank you so much for coming out this morning for today's public meeting about the Mississippi River Ship Channel, Gulf to Baton Rouge, Louisiana Phase III tentatively-selected plan.

My name is Rene Poche. I'm with the public affairs office here. I'll be facilitating today's meeting. We're a small crowd so we'll keep it kind of a little more informal so we'll have the free exchange of ideas.

Just want to go over a couple of things here with you and then we'll get the actual presentation started. So we're going to discuss today why we're here and then we'll look at an overview of the project. We'll talk about the National Environmental Policy Act and look at the schedule and then we'll take your comment on the project.

So now I'd like to go ahead and turn it over to Jennifer Vititoe to discuss the aspects of the project.

MS. VITITOE:

Good morning, everybody. I'm Jennifer Vititoe. I'm the plan formulator for this project. And we'll walk you through a little bit of the background of our project and our plan formulation process.

Where we are today is we're in a public review period, typically 45 days. We mailed out the reports and posted it to our public website on December 2nd. The public review will actually begin this Friday, 16 December and for 45 days. It will close on 30 January.

Agency and public input informs our decision-making process. It helps in the evaluation of our decisions and making sure that we have the best information available going forward.

Background on our project. The Mississippi River Ship Canal was initially authorized in 1915. In 1985 it was authorized to a depth of 50 feet and then subsequently in the Water Resources Development Act the Cost Share agreements were identified.

Construction to that 50-foot depth was planned initially in three phases. The first phase was completed in 1987.

UNIDENTIFIED SPEAKER:

55 feet.

MS. VITITOE:

55 feet. I apologize. Thank you.

The first phase was completed in 1987 and it deepened from the Gulf to Donaldsonville to 45 feet. The second phase was completed in 1994 and deepened from Donaldsonville to Baton Rouge to 45 feet. The third phase was planned to complete to 55 feet subsequently.

Where we are today though with our non-federal sponsor, Louisiana Department of Transportation and Development, we're looking at the next phase of construction to deepen to a depth of 50 feet. There may be subsequent construction phases to implement the fully-authorized channel to 55 feet.

In order to look at the next phase of construction, we have a general re-evaluation report, the draft of which is

available for your review that considers alternatives with the greatest net benefit up to a depth of 50 feet in order to implement the next phase of construction.

The purpose of the GRR is pretty much what I just stated, looking at the greatest net benefit for the next phase of construction. Some of the opportunities and problems that we look at for this next phase is with the current 45-foot depth, there's transportation inefficiencies. The ships currently have to light-load in order to have to navigate the channel. There's safety concerns with the current widths, and there's maintenance inefficiencies due to high shoaling.

So we're looking at opportunities to reduce light-loading, allow for easier maneuvering the channel, and increase our efficiencies for operation and maintenance.

As we consider deepening the channel, we looked at several alternatives. The initial array of alternatives, looked at a continuous depth of 45 feet from the Gulf to Baton Rouge, a depth of 48 feet from the

Gulf to Baton Rouge, or a depth of 50 feet from the Gulf to Baton Rouge with varying channel widths depending on where you were within the river.

As we looked at this initial array, we recognized that we talked to the -- the people who use the channel realized that there are not as many concerns with varying channel widths. Also that the depth in the Lower Mississippi is different than what we anticipated. So that kind of revised our change in alternatives.

As we developed alternatives, engineering looked at construction methods, operation and maintenance methods, and disposal methods using various types of dredges in each of the different areas of the river.

The expanded array of alternatives looked at different depths between the Lower Mississippi and the crossings. Initial alternative was 45 foot for the crossings and 48 feet in the Lower Mississippi. We had a depth of 48 foot for both the crossings and the Lower

Mississippi, 50 feet for the crossings and the Lower Mississippi, and then 45 foot for the crossings and Lower Mississippi. That would basically only deepen the Lower Mississippi only. And then 48 feet in the crossings and 50 feet in the Lower Mississippi River.

With this expanded array of alternatives, we looked at the first construction costs, the operation and maintenance costs, the average annual benefits, the net annual benefits, and the B/C ratio of each of these alternatives. With this array we recognized that there was opportunities between alternative 3A which is only deepening the Lower Mississippi River and alternative 3B which is deepening the lower river and then some of the crossings up above.

So with that in mind, we looked at optimization and dividing the depth between the two ports that serve in the upper river which is Port of South Louisiana and the Port of Baton Rouge. So we looked at varying depths between these two ports

along with the varying depths in the Lower Mississippi River. Comparing those alternatives, alternative 3d provided us with the greatest net excess benefits. I'll go back real quick. Alternative 3d looks at deepening the Lower Mississippi to 50 feet and the three crossings within the Port of South Louisiana to 50 feet. The crossings within the Port of Baton Rouge will remain at a depth of 45 feet.

At this time alternative 3d is our tentatively-selected plan. This is the proposed project construction costs, the operation and maintenance costs, and then the excess benefits and B/C ratios for that tentatively-selected plan.

As you review our draft report, this is the plan that is proposed in the report. The draft report is available for public review posted on our district website. It is mailed out as well, and it will be available on the Federal Registry this Friday. Whenever major federal action significantly affects the environment, a detailed environmental impact statement is

required. That is a portion of our draft report.

The information is made available to the public before we have final decisions. At this time, again, we only have a tentatively-selected plan. We are open to considering your comments to ensure that we have factual and correct information. We consider alternatives adequately and evaluation of alternatives correctly.

Our schedule for the public review, as I said, the public review will start on 16 December and end on 30th January. We will go to the commander for a decision on our tentatively-selected plan in March. From there we will do feasibility level design on that tentatively-selected plan in September of 2017 with our end goal of a director's report in March of 2018.

MR. POCHE:

Okay. So that's the presentation there. We're going to start with the public comment period and, like I said, this is a small group here. So I guess the most important things are the bottom three

comments -- or bottom three bullets are all comments, written or verbal, become part of the official record of this project. All comments, written or verbal, are considered equally. And we ask that you remain quiet while a comment is being made. We have a court reporter here, and she's gathering all the information. So having said those things, we'll open the floor to comments at this time.

MS. SHARON BALFOUR:

I'm Sharon Balfour, DOTD. I would like to point out that the cost share has now been changed from 50/50 for construction to 75/25 for construction as per the water infrastructure improvement for the Nation Act which was passed last Friday -- Saturday.

MR. POCHE:

Saturday, yes.

Any other comments? We're here for you. So if there's any concerns, questions that you have, please let us know.

Yes, sir?

MR. MATT GRESHAM:

Matt Gresham with the Port of New Orleans. I just want to thank you for the speed, I think, in which this report has come about. I've heard nothing but good things on how the Corps has tried to expedite this report, and we're very supportive, and anything we can do to help in the future, we're there to help this project move forward.

MR. POCHE:

Thank you.

Anyone else wish to make a comment, question, concern?

MR. JOSEPH ACCARDO:

I'm Joe Accardo, executive director of the Ports Association of Louisiana. I will submit a written letter of comments in the next few days.

MR. POCHE:

Thank you, sir.

Anyone else have a comment or questions?

I think this might be a land speed record for a public meeting here.

UNIDENTIFIED SPEAKER:

Don't rock the boat.

MR. POCHE:

So the Corps folks will remain, I guess, for a little bit after to answer any questions that you may have. I believe we'll make a copy of this available to you.

MS. VITITOE:

Make it available. So just to kind of show, the report is available on our district website. Do we have handouts?

UNIDENTIFIED SPEAKER:

Yes.

MR. VITITOE:

Information in the back. You can submit your comments by e-mailing the address on here or mailing it to that address that's shown.

MR. JOSEPH ACCARDO:

You said make comments by e-mailing you or fax or even U.S. mail?

MS. VITITOE:

It can be by e-mail or U.S. mail or, I guess, by calling also. So yes.

MR. POCHE:

Anything else that anyone would like

to have gone on record today?

(Whereupon no one responded.)

MR. POCHE:

All right. We'll adjourn here. Thank you for taking your time to come to this meeting.

* * * * * * * *

(Whereupon the meeting was concluded at 10:13 a.m.)

REPORTER'S PAGE

I, **DAWN R. YAEGER,** Certified Court Reporter, in and for the State of Louisiana, the officer before whom this meeting was taken, do hereby state:

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Certified Court Reporter
Certificate No. 86163

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Transcript of the Testimony of
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Date taken: January 26, 2017

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ORIGINAL

U.S. Army Corps of Engineers, New Orleans District, Public Meeting, taken at the offices of the U.S. Army Corps of Engineers, New Orleans District, District Assembly Room, 7400 Leake Avenue, New Orleans, Louisiana 70118, on Thursday, the 26th of January, 2017.

APPEARANCES:

RICKY BOYETT

JENNIFER VITITOE

STEVE ROBERTS

COLONEL CLANCY

REPORTED BY:

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* * * *

MR. BOYETT:

Good morning, everyone. Thank you for coming out. We have a good turnout this morning, so it's exciting to see it. We're on our third public meeting, and we've kind of hit New Orleans twice, one in Baton Rouge.

To open, I would like to turn the floor over to Colonel Clancy. He's or commander of the New Orleans district.

COLONEL CLANCY:

Good morning. I just want to welcome everybody here. I'm the district commander. So happy to see -- this is our third of, I think, three, and our last public meeting.

I just want to get the word out for what we're up to trying to deepen the Mississippi River. It's getting more and more popular. There's an article about it in the news this morning, in The Advocate at least, so -- and Jennifer was just asking me.

So right now we're just -- this

morning what we're going to talk about is our study to propose to Congress that we deepen the river. The deepening's already authorized, but it still needs congressional permission to go forward.

When it's going to get funded, how it's going to get funded, if it's going to get funded, we're not prepared to talk about today, because we just don't know. So short answer I just gave Sharon is it's all up to Congress. All right. So we have money in the upcoming budget for -- not for the deepening, because it's not authorized yet or it's not -- we don't have permission for it -- but for regular maintenance.

There's -- the article in The Advocate talked about the president's top 50 infrastructure projects, and Mississippi River deepening is on there. What that means, if -- No. 7, Marti's giving me the sign. So it's No. 7. But the article said it's unofficial. All right.

Governor -- Sean Duffy and I were

at an event last night where the Governor spoke. The Governor didn't even mention that. He said it's three projects hopefully, but it's too early to say which.

So anyway, I just, you know -- probably on folks' minds. I don't have any information. It will be a while. Really, we need the -- so there's a proposed President's budget, which was proposed by the old administration.

So I have no idea what the new administration -- if they're just going to run with that, because it's too late to build their own, or they're going to try to build their own, and then what the new Congress is going to do. Keep your eyes peeled for that.

So for now we're just going to talk about the technical aspects of the deepening, why the deepening's necessary, how we arrived at what we're going to do for the deepening, and certainly try to answer any questions y'all have. But again, thanks for coming.

So who's up? Jennifer?

MR. BOYETT:

Thank you very much, sir. I do want to thank Ms. Balfour for coming out. She's our partner in the study, and it's always great when our partners are able to join us on these morning meetings.

So today is a kind of dual purpose. First we want to give you an update and provide you what we have done with the study, where we are. But then we want to transition over into where it's our turn to listen to you.

We do have a court reporter here, so all the comments will be formally taken down, and we can evaluate it and include it in the final copy of the study.

But to begin with, we want to kind of present to you, and I'm going to ask Ms. Vititoe to come up for a presentation on the study itself.

MS. VITITOE:

Good morning, everyone. Thanks for coming out. I'm Jennifer Vititoe. I'm the plan formulator for the study.

I'll give you an overview of our project, where we're at today; and then, as Ricky said, we'll open it up for questions and comments.

So just a brief overview of our agenda: We'll go with why we're here, a project overview, we'll cover the NEPA requirements, our project schedule, and then project comments -- or public comments.

Why we are here: Before we proceed with deepening the channel, we need to assess a series of proposed alternatives, develop a draft plan, complete the NEPA requirements for agency and public review, and then evaluate comments that are received. From there we have a -- right now we have a tentatively selected plan. Once public review is done, that will become a recommended plan and our formal selection, moving forward.

Where we're at today: We're currently in the 45-day review period. The draft report was posted on our website and mailed out on December 2nd. The

review started December 16th, and it closes on January 30th.

Comments: We're looking for agency and public comments on where we're at with our tentatively selected plan, and we do this so that we know that we have done the right evaluation in due course before we have a recommended plan.

Just a little bit of background on the project: In 1985 the Mississippi River Ship Channel was authorized to be deepened from its then current depth to a depth of 45 feet -- excuse me -- 55 feet. It was constructed in two phases to get to the current depth of 45 feet.

The first phase was complete in December of 1987. It deepened from the Gulf to Donaldsonville. There's a subsequent phase which deepened from Donaldsonville to Baton Rouge. That got us to the current depth of 45 feet.

An overview of the project: Our non-federal sponsors are the Louisiana Department of Transportation and Development. They have requested that we

1 look at the next phase of construction to
2 up to a depth of 50 feet. So although it
3 is authorized to 55, our next phase of
4 construction will look at only going to 50
5 at this time. There may be future
6 construction phases to go to the fully
7 authorized project of 55 feet.
8 Where we're at today is we're
9 doing a General Reevaluation Report to
10 look at the net benefits of the next phase
11 of construction up to a depth of 50 feet
12 so that we can proceed with construction.
13 Why are we doing this? The
14 purpose is to evaluate the alternatives,
15 as I previously said.
16 Some of the problems we encounter
17 or we recognize is that the current depth
18 of 45 feet creates shipping
19 inefficiencies. Ships coming up the
20 channel have to light load in order to be
21 able to navigate it. There's also safety
22 concerns with the width. The width varies
23 between 500 feet to 750 feet. And then
24 there's maintenance inefficiencies. The
25 rate of river -- the sediment coming down

1 creates high shoaling rates and a lot of
2 deposition. More maintenance is required
3 due to that.
4 So the opportunities we're
5 looking at improving is to reduce the need
6 for light loading, reduce safety concerns,
7 and allow for easy maneuvering in the
8 channel, and then improve our maintenance
9 efficiencies.
10 Just a quick overview of the
11 project: The Mississippi River, the way
12 we look at it is we have the lower portion
13 of the river, which is typically dredged
14 from around Venice down to the Gulf of
15 Mexico, the New Orleans Harbor; and then
16 in the upper reach there are crossings
17 which serve both the Port of South
18 Louisiana and the Port of Baton Rouge.
19 Our initial array of alternatives
20 looked at deepening from 45 feet from the
21 Gulf all the way to Baton Rouge, 48 feet
22 from the Gulf to Baton Rouge, or 50 feet
23 from the Gulf to Baton Rouge. These were
24 uniform depths that we applied across the
25 channel, and then varying widths,

depending on where you are at in the channel.

As we looked at this initial array of alternatives and began talking to the industry, we realized the initial concern that width -- safety due to the channel width was not as much a concern as we thought, so we eliminated the need to look at or to widen the channel and only proceeded with deepening.

Some of the engineering assumptions that went into the development of alternatives, we looked at various construction methods. This follows our typical O&M plan as far as the type of dredges used, where the material's disposed and how it's disposed. We follow the current practices.

As I said, we realized we did not need to widen the channel, so our initial array of alternatives was expanded to only look at deepening. The no-action alternative is no action from where we are currently at, a 48-foot depth in the lower Mississippi and 45 foot in the crossings.

Alternative 2 was a uniform depth of 48 foot throughout from the Gulf to Baton Rouge. Alternative 3 was a depth of 50 feet from the Gulf to Baton Rouge. That's both the lower Mississippi and the crossings.

We then looked at some variations that would apply different depths from both the lower portion of the river and the crossings. So Alternative 3a was 50 feet in the lower Mississippi River and 45 feet in the crossings, and 3b was 50 feet in the lower Mississippi and 48 foot in the crossings.

And for these alternatives, the 45 and 48 foot would be applied for all the crossings, both in Port of South Louisiana and the Port of Baton Rouge.

As we compared the alternatives, we looked at the first construction cost, the average annual O&M cost, what are the benefits to the nation, and then net -- that brings us to the net excess benefits.

As we compared the alternatives, this showed that Alternative 3a had the

greatest -- I apologize -- Alternative 3b had the greatest net excess benefits, with Alternative 3a having the highest benefit-to-cost ratio.

As we compared these we realized there's probably some opportunity for optimization between these two alternatives. So we looked at dividing alternatives a little bit farther between the crossings that serve the Port of South Louisiana and the Port of Baton Rouge.

So this map shows you there's three crossings within the Port of South Louisiana, another nine within the Port of Baton Rouge.

The additional alternatives we developed looked at 48 feet in the lower river, and the three crossings within the Port of Baton Rouge would be deepened -- would remain at 45 -- sorry -- those remain at 48. Additional ones remain at 45. I apologize.

Alternative 3c was 50 in lower Mississippi River, 48 for the three crossings within the Port of Baton Rouge

and the Port of South Louisiana, and nine -- the nine crossings from the Port of Baton Rouge remain at 45 feet.

Alternative 3d looked at 50 for the lower Mississippi River and 50 feet for the Port of South Louisiana and then 45 foot for the Port of Baton Rouge.

As we looked at these additional alternatives, we, once again, compared first construction cost, O&M cost, net excess benefits, and B/C ratio. Our tentatively selected plan, as based on the alternative, has the greatest net excess benefits. That's Alternative 3b.

And just to kind of re-cover it, that was 50 feet in the lower Mississippi River, 50 feet for the three crossings within the Port of South Louisiana, and the remaining crossings within the Port of Baton Rouge will remain at 45 feet.

This is the tentatively selected plan that I just mentioned, Alternative 3b.

The total first construction cost is 88.9 million; the cost to non-federal

sponsors, 45.7 million, including LERRDs.

Where we're at today: The draft integrated report and supplemental environmental impact statement is currently out for public review.

We are requesting comments from interested and affected parties. Comments to be made can make factual corrections, provide supplemental or additional information, help in the evaluation and development of alternatives.

Where we're at, our schedule: As I said, we're in the 45-day public review period. Once that closes, we'll move forward with the commander's decision on a tentatively selected plan, which is schedule for March.

We'll then proceed with feasibility level design on that tentatively selected plan, which will complete in September of this year, with the goal of having the director's report completed by March of 2018.

We're going to take comments today following my presentation. There

are additional ways you can submit comments. You can submit them by calling the numbers shown, the e-mail address, or by mailing. And we have comment -- we have cards in the back that have this information. So if you would like to submit comments, you can grab one of those in order to provide them.

So I'm going to turn this over to you to cover this portion.

MR. BOYETT:

Thank you, ma'am.

I think since -- the size of the crowd we have, we can be a little less formal than we normally are for this portion of the meeting. I will say that we're open to answering questions, but please know that some questions we simply don't know the answers to yet.

So if we can, I'd like to go ahead and turn it over to you. Do we have anybody who would like to submit a comment or ask us a question? Somebody?

No?

Any questions before I let you go

that quickly?

Do we have any comments or questions about the draft tentatively selected plan, anything that you were not aware of, any changes that we kind of brought forward for you guys?

MR. HESS:

Let me throw out a question for you here. I think I read in the paper that you're looking at beneficial use of material in certain areas. Can you describe a little bit more kind of the plan for the beneficial use?

MR. ROBERTS:

I'm sorry, sir. We don't have a map of the beneficial use disposal areas.

MR. HESS:

Kind of just describe -- just give a general idea.

MR. ROBERTS:

Okay. Well, currently, current operations and maintenance has approximately 125,000 acres in the bird's-foot delta area --

MR. HESS:

1 Okay.
2 MR. ROBERTS:
3 -- in the lower river, of which
4 we disposed of material beneficially to
5 create predominantly intermediate marsh in
6 that area. Annually, it averages about
7 525 acres a year.
8 And this is all according to
9 federal regulations, specifically the
10 federal standard, which allows us to use
11 this material beneficially in lieu of
12 placement in the river or even in the
13 ocean.
14 So a large part of this plan is
15 to basically keep doing what we're doing,
16 because we don't anticipate the future
17 maintenance of the lower river to increase
18 by the deepening. Okay.
19 The one little tweak to this plan
20 is that we've expanded the existing
21 disposal areas that I mentioned by roughly
22 about 15 percent to allow for more
23 opportunities to create that type of
24 habitat via the federal standard.
25 MR. HESS:

Okay. Fair enough.

MR. BOYETT:

Do you have any other comments, any questions?

MR. LAMBERT:

I have a question. So roughly plus or minus more than 500 acres per year would be created?

MR. ROBERTS:

Yes, sir.

MR. LAMBERT:

How many million cubic yards is that for the project?

MR. ROBERTS:

Let's see. There's a formula. I have to reach deep here.

MR. LAMBERT:

I know that --

MR. ROBERTS:

I think it's 80 acres per million cubic yards dredged.

MR. LAMBERT:

Okay.

MR. ROBERTS:

And so if we do the math that

way -- I forget what that adds up to.

MR. LAMBERT:

Maybe eight, something like that?

MR. ROBERTS:

Yes.

MR. LAMBERT:

Per year or per --

MR. ROBERTS:

Basically every million cubic yards dredged. And I might have to get your name and follow up with you on this, but I'm pretty confident in this. We can create about 80 acres of intermediate marsh.

MR. BOYETT:

For every million cubic beneficially --

MR. ROBERTS:

Yes.

MR. BOYETT:

-- every -- that's beneficially placed, you can create about 80. I think the challenge of us giving an exact number is depending on what the river does that year, so we couldn't really give you how

much per year. But using that formula of what we do beneficially place for every million cubic yards, we get about 80 acres.

MR. LAMBERT:

And how much is that per yard, that cost right now, roughly? I mean --

MR. BOYETT:

I would --

MR. HESS:

Do you know?

MR. DUFFY:

265, five-year average, cutterhead use --

MR. BOYETT:

Okay. Perfect.

Yes, ma'am?

Is that okay? Did we capture it as best as we could, the --

MR. LAMBERT:

Only reason why I ask is because I know the State has had their comments -- the CPRA, not the DOTD -- about the bird's foot, the master plan, the beneficial use program, et cetera. And I was just

1 wondering if this could be an opportunity
2 to marry a little more if they paid the
3 incremental cost through their program to
4 get a beneficial use that might be more --
5 well, I would -- more in alignment with
6 what their goals are, is what I'm saying,
7 if they're willing to pay that price; not
8 to charge for this project, but to kind of
9 marry this project. You understand?
10 MR. BOYETT:
11 You're essentially saying that
12 if -- and we'll not say the State per se,
13 but if another entity comes in and they're
14 willing to cover the cost that exceeds the
15 federal standard, the maximum that we're
16 allowed --
17 MR. LAMBERT:
18 Right.
19 MR. BOYETT:
20 -- to do.
21 And that is something we have
22 done in the past as a consideration
23 before, and I think we'll definitely
24 consider that. Any time there's
25 opportunity, I think the State and the

Corps both share that. Whenever you can do something beneficially, then if the opportunity's there, we'll take advantage of it.

MR. LAMBERT:

Mainly because they could get reimbursement, right, through these different trust funds if they paid -- not your project -- if they paid the incremental difference in cost to put the material somewhere else, that is something that they feel that's more advantageous to the master plan, okay, they could re -- they could get reimbursement for that virtual --

MR. HESS:

Or seek reimbursement --

MR. LAMBERT:

-- cost through one of those trust funds. That's all I'm saying. They --

MR. BOYETT:

Sure. No, I -- honestly, I don't know what they could -- their side of it, I don't know. I don't want to speak on

behalf --

MR. LAMBERT:

Right.

MR. BOYETT:

-- of the State of what they could do.

MR. LAMBERT:

But you -- the Corps would not necessarily be opposed to something like --

MR. BOYETT:

No, absolutely not.

MR. LAMBERT:

Okay.

MR. BOYETT:

And there are other opportunities. And again, this is all speculation at this point when you're going through, but there are opportunities, maybe through like LCA or things that can come in and assist as well.

So again, I think I'm comfortable in saying we do have that federal standard that we have to adhere to, but when

opportunities are around so that we can use the material beneficially, we'll definitely give it full attention and try to --

COLONEL CLANCY:

Can you go to the map?

Just to expand on that -- is there a better map?

So, technically, folks -- correct me if I'm wrong -- I see Jennifer in the back there -- most of the beneficial use -- so we dredge 13 crossings, right? There's almost no beneficial use from that stuff. Port of New Orleans, same thing.

So most of our beneficial use we're talking about is down here, Southwest Pass. That is generally outside of the state master plan. So CPRA is not opposed to us doing beneficial use, but they're not interested in paying extra for any additional beneficial use. So that's sort of the crux.

Up in the crossings, I'm not sure how advantageous beneficial use would be. It's not -- marsh is up there. There's no

wetland law that says -- I don't know what upland disposal -- it would get so expensive. There's really no benefit to doing that.

Back down south, we also have the LCA program where every year we spend roughly $10 million augmenting federal standard. Because the dredging's done with navigation money, so we can't take navigation money and do -- it's going to cost more to do beneficial use. Can't do that.

But we have the LCA program. We've taken about 10 million. So this year we're going to do Tiger Pass. Next year we're looking in the Houma navigation canal. So every year we pick a candidate, and we work closely with the State on that. Pick a candidate to do -- spend extra federal money for environmental purposes to augment the navigation budget to do beneficial use.

It's a debate nationwide; limited dredging dollars. Beneficial use is great when you can line up a site that's close

by, that we got to get rid of this stuff anyway, so do it beneficially. But if it gets more expensive and starts detracting from the navigation intent -- the original purpose of the money is navigation -- then we simply can't do it.

But if there's any other party, second parties out there who are willing to pay that extra increment, we are, by all means, interested.

MR. LAMBERT:

Just to follow up, so I want to make sure you understand that I'm not trying to attach that to this project, because I think the project has --

MR. HESS:

Stands on its own.

MR. LAMBERT:

Yeah, it stands on its own. It has its own merit. And it should be done. I'm in favor of it.

What I'm saying is, is that if -- and I know what the State's position is on the bird's foot. But if they do want to move material, if a third party proposed

to move that material up towards the mid basin like they would like material placed, and that third party was compensated by that state program, that third party could then take those dollars and pay the differential cost to do it.

All I'm saying, if they could --

COLONEL CLANCY:

Yeah, and --

MR. LAMBERT:

-- if somebody --

COLONEL CLANCY:

-- theoretically, it's potentially possibly. Again, I don't --

MR. LAMBERT:

Possible.

COLONEL CLANCY:

-- want to speak for CPRA --

MR. LAMBERT:

Right. I don't either.

COLONEL CLANCY:

You've got -- I'm not sure how well versed you are on the master plan --

MR. LAMBERT:

I'm very familiar.

COLONEL CLANCY:

So $80 billion out there, and the State doesn't have 80 billion to throw against it. So conceptually, that's doable. From a federal perspective, that's certainly doable. We -- come take our sediment and move it --

MR. LAMBERT:

Right.

COLONEL CLANCY:

-- got to get rid of it anyway, so I think we wouldn't be opposed to that. It gets expensive really fast, right --

MR. LAMBERT:

Right.

COLONEL CLANCY:

-- so moving sediment from the Head of Passes up to --

MR. LAMBERT:

60 --

COLONEL CLANCY:

-- mid-Barataria basin --

MR. LAMBERT:

Right.

COLONEL CLANCY:

-- I think would be very cost prohibitive.

MR. LAMBERT:

Okay.

COLONEL CLANCY:

Conceptually doable, but --

MR. LAMBERT:

I guess what I'm asking is that if it was done over a long period of time, right, it becomes more economically feasible over time, so somebody could propose that and try to --

COLONEL CLANCY:

Sure, yeah, absolutely. I mean --

MR. LAMBERT:

-- do a -- basically a proposal --

MR. HESS:

A business --

MR. LAMBERT:

-- to invest, like a --

COLONEL CLANCY:

Someone want to build a pipeline to move sediment from --

MR. LAMBERT:

Exactly.

COLONEL CLANCY:

-- Head of Passes up throughout the state, I mean, again, I think that's doable. I don't think this would be cheap though, and I --

MR. LAMBERT:

Right.

COLONEL CLANCY:

-- I think there's more cost-effective ways to get that sediment.

MR. LAMBERT:

Okay.

COLONEL CLANCY:

I think -- I mean, certainly nothing the Corps of Engineers is working on, and I don't think CPRA is working on. CPRA's plan for this, I think, is to send a diversion --

MR. LAMBERT:

Right.

COLONEL CLANCY:

-- is to divert the sediment up while still in the river, long before it

gets to Head of Passes.

But that's an interesting concept.

MR. LAMBERT:

Okay. Thank you.

MR. BOYETT:

Ms. Balfour, I think you were going to make a comment?

MS. BALFOUR:

Just to make a comment that the legislation passed last fall changed the cost share of construction from 50-50 to 75-25, and that was not reflected on your slide. Just wanted to make that point.

MR. BOYETT:

Yes, ma'am. Sorry. We didn't make that change. You're absolutely correct.

MS. VITITOE:

The slides are reflective of what was legislation at the time the draft report was published. So we certainly will look at those changes as we move forward toward the final report.

COLONEL CLANCY:

It is a great point. We'll have to look. We -- and so the win -- have passed. We don't have implementation instructions. Obviously, I think in the long run, you're absolutely right. But what's actually reflected in the report, I don't know if we can technically change the report language at this point. But in the long run, I don't -- I would think I'm safe in saying don't sweat that. Whatever --

MS. BALFOUR:

Yes.

COLONEL CLANCY:

When we get to the project and we start doing the work and we start asking you for your cost share, whatever the law says at that time is what you may charge.

MR. BOYETT:

Anyone else? Anyone?

Going once, twice.

Thank you all --

MR. DUFFY:

Sean Duffy, Big River Coalition, and I'm going to come back to my comments

being mostly about the general discussion about beneficial use.

The best I can offer is that the CPRA has found the beneficial use in the lower river to be complimentary to or consistent with the master plan. So it doesn't serve as a roadblock that this is an area that they are not focused on.

The projects, when we started using cutterhead dredges in an area that the colonel outlined below Venice in 2009, since then, if you had beneficial use from the hopper dredge disposal area projects, including the one going on now, it's about 7,000 acres that will have been created through that beneficial use.

And the beauty of that project is that because of the federal standard we're pumping very close, as close as possible in many cases; and, of course, that helps keep the cost down.

Some of the numbers that have been referenced in CPRA meetings are upwards of $30 a cubic yard; and if you pump material over 20 miles, it probably

1 does cost that much.
2 The five-year average for
3 cutterhead use in the beneficial use in
4 this area below Venice specific to these
5 projects has been 265 a cubic yard.
6 Looking at doing similar projects
7 up the river, as the colonel pointed out,
8 it most likely makes more sense to look at
9 dredging in the area that you want the
10 material instead of dredging in a lower
11 area and sending hoppers, or however,
12 transporting it.
13 But I do fall back on this
14 program that we like to refer to often as
15 sediment recycling, that the Corps is a
16 lead on. The pilots have come to
17 appreciate the cutterhead work. There's
18 some navigation challenges represented by
19 cutterheads because they're a fixed
20 structure, if you will, anchored in; not
21 mobile, as a hopper dredge that can
22 basically move out of the way fairly
23 quickly.
24 But those efforts, we believe,
25 will help if the deepening does go

forward, and increase not only the ability to do additional beneficial use. We've gone from having questions about doing one cutterhead. The first year created, I think, about 46 acres. That number of about 80 to 100 acres per million cubic yards kind of depends on the material.

The sandier material, of course, stacks up and holds a little better. As you get further down in Southwest Pass, it tends to be a little more viscous to a -- you know, a sand castle to a milk shake kind of content coming out of the pipelines.

But all those efforts of that program will pay huge dividends in the deepening project, and having the beneficial use is very important.

And I know the Corps appreciates this, but there's more and more focus on trying to find these dual purposes for maintaining the navigation channels, maintaining whatever project, and using the material as close as you can to benefit everyone in the fight of coastal

restoration. It's more important here than anywhere else in the United States.

MR. BOYETT:

Sure. Absolutely. Thank you, sir. Yeah, I agree.

Any other questions? Any other? I'm going to go straight to two, three.

Thank you all for coming out. We do appreciate it. Your comments do help us inform ours so that we make the right decision and we put the best plan out there. So thank you very much for coming in today.

(Whereupon, the deposition was concluded.)

* * *

REPORTER'S CERTIFICATE

This certification is valid only for a transcript accompanied by my original signature and original required seal on this page.

I, Gretchen Alexander, Certified Court Reporter in and for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that this testimony was reported by me in the stenotype reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding; that the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board, and that I am informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services; that I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board; that I have no actual knowledge of any prohibited employment or contractual relationship, direct or indirect, between a court reporting firm and any party litigant in this matter, nor is there any such relationship between myself and a party litigant in this matter; that I am not related to counsel or the parties herein, nor am I otherwise interested in the outcome of this matter.

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