

7.0 PUBLIC INVOLVEMENT

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7.0 PUBLIC INVOLVEMENT

This chapter describes the various formal opportunities for public involvement during the MBSD EIS process including an MBSD website, scoping meetings, and DEIS public meetings. In addition, the DWH NRDA Restoration Plan public involvement process in conjunction and coordination with the MBSD EIS public involvement is described below. This chapter also includes details on other public outreach and engagement efforts regarding the proposed MBSD Project including CPRA's Coastal Connections events held throughout the Project area.

7.1 Project Website

Throughout the Project planning process, the public can access information regarding the Project on CEMVN's website (see <https://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS/>). The website includes Project updates and key information, such as the dates and locations of public meetings. The website also includes the scoping report and the DEIS and FEIS.

Information about the Project schedule and milestones are posted to the Permitting Dashboard in compliance with requirements set forth in Title 41 of FAST-41 (42 USC 4370m-l(c)(1)(A)(i))(see <https://www.permits.performance.gov/permitting-projects/mid-barataria-sediment-diversion>). CEMVN updates information on the Permitting Dashboard quarterly.

7.2 Summary of Scoping Input

NEPA regulations require an early and open process for determining the scope of issues to be addressed in an EIS and for identifying the significant issues related to a proposed action. This process is referred to as scoping (40 CFR 1501.7). As part of the NEPA scoping process, the lead agency may hold an early scoping meeting or meetings. In addition, as part of the scoping process, the lead agency shall:

- invite the participation of affected federal, state, and local agencies, any affected tribal nations, the Project applicant, and other stakeholders;
- determine the scope and the significant issues to be analyzed in depth in the EIS;
- identify and eliminate from detailed study the issues that are not significant or that have been covered by prior environmental review;
- allocate assignments for preparation of the EIS among the lead and cooperating agencies, with the lead agency retaining responsibility for the statement;
- indicate any public environmental assessments and other EISs that are being or will be prepared that are related to but are not part of the scope of the impact statement under consideration;

- identify other environmental review and consultation requirements so the lead and cooperating agencies may prepare other required analyses and studies concurrently with, and integrated with, the EIS as provided in 40 CFR 1502.25; and
- indicate the relationship between the timing of the preparation of environmental analyses and the agency's tentative planning and decision making schedule.

A Notice of Intent (NOI) to prepare an EIS for the proposed MBSD Project was published by CEMVN in the *Federal Register* on October 4, 2013 (78 FR 61843). A supplemental NOI was published by CEMVN in the *Federal Register* on April 27, 2017 (82 FR 19361) following the receipt of a modified DA permit application. The formal 60-day public scoping comment period for the EIS began on July 6, 2017 and ended on September 5, 2017. The NOIs are included in Appendix C.

The public scoping process included three meetings held in Jefferson and Plaquemines Parishes. Notices of the public scoping meetings were sent through email distribution lists, posted on CEMVN's MBSD EIS website (<http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS>), and mailed to public libraries, government agencies, and interested groups and individuals. Scoping meeting dates and locations were advertised in the following local newspapers on the following dates.

- *Plaquemines Gazette*, July 4 and 11, 2017;
- *The Times Picayune*, July 5 and 14, 2017; and
- *The Advocate*, July 5 and 17, 2017.

The scoping meeting ads included a note stating that Vietnamese translation would be available at the meetings, and that translation services in other languages were available upon request.

A total of 282 people signed the attendance records at the three scoping meetings. These included, but were not limited to, private citizens, industry stakeholders, non-governmental organizations, and public officials. A copy of the sign-in attendance record sheets and transcripts for each scoping meeting can be found on CEMVN's MBSD EIS website at <https://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS>.

Because commercial fishing interests were expected to have a large representation at the public scoping meetings for the proposed Project, and there is a large Vietnamese community within the larger commercial fishing industry in Louisiana, the scoping meetings provided accommodations for Vietnamese translation of the meeting presentation, submission of Vietnamese comments, and translation of questions and answers at the display panels. Non-English speakers requiring

Vietnamese translation of the presentation were provided earphones through which a translator provided real time translation during the presentation. The translator was also available to record public comments provided in Vietnamese and translated into English for the official public comment record.

CEMVN received a total of 871 individual comment submissions via emails, letters, comment cards, and verbal comments transcribed at the public scoping meetings. Of these submissions, 555 (64 percent) included identical (form) letters signed by different individuals. Approximately 744 (85 percent) of comment submissions were from commenters that gave Louisiana addresses. The remaining comments were from people residing in other U.S. states, and one comment was received from England. Individual commenters identified an affiliation in 195 of the comment submissions, representing 62 unique affiliations. These affiliations included government agencies, non-governmental environmental organizations, and organizations representing commercial, social, cultural, or recreation associations.

All public scoping comments were reviewed and have been used to inform the scope and development of the DEIS. Table 7-1 below lists the primary topics that were identified in the comment submissions. See Appendix B for the MBSD Final Scoping Report, which includes more details about the scoping comment topics and the name of all individuals, agencies, and organizations that submitted comments. A copy of all scoping comments submitted is available for review and download on CEMVN's MBSD EIS website at the following web address: <http://www.mvn.usace.army.mil/Missions/Regulatory/Permits/Mid-Barataria-Sediment-Diversion-EIS>.

| Table 7-1 Primary Topics Identified in Scoping Comments |
|--|
| Alternatives Analysis |
| Public Coordination |
| Project Operations |
| Timeframe/Schedule |
| Adaptive Management and Monitoring |
| Land Loss and Sea-level Rise |
| Flooding and Storms |
| Geology and Sediment Transport |
| Wetland Impacts |
| Water and Sediment Quality |
| Protected Species |
| Marine Mammals |
| Commercial Fishing |
| Fish Resources |
| Socioeconomics and Environmental Justice |
| Land-based Transportation and Public Utilities |
| Navigation |
| Environmental Impact Analysis and Modeling |
| Cumulative Impacts |
| Other |

7.3 Other Public Outreach and Engagement

Other public outreach and engagement efforts regarding the proposed MBSD Project including CPRA's Coastal Connections events held throughout the Project area and DWH NRDA restoration planning are described below.

7.3.1 DWH NRDA Restoration Planning

The LA TIG is evaluating CPRA's proposal to implement the MBSD Project pursuant to OPA through the Restoration Plan concurrent with CEMVN's review of CPRA's Clean Water Act and Rivers and Harbors Act permit and permission requests. The LA TIG intends to use this EIS to satisfy its obligations for NEPA review of its proposed action in the Restoration Plan, and consequently the LA TIG has been coordinating with CEMVN throughout the development of this EIS to ensure it is adequate to support the LA TIG's proposed action as well as CEMVN's decision process.

In addition to the USACE NEPA process for public involvement, as part of the public review process for the DWH NRDA restoration planning process, a Notice of Availability for the SRP/EA #3 was published in the *Federal Register* by the LA TIG on December 8, 2017. A 45-day comment period was held from December 20, 2017 through February 8, 2018, and a public meeting was held in New Orleans on January 24, 2018. The SRP/EA #3 was published in the *Louisiana Register* on March 20, 2018 and the *Federal Register* on March 21, 2018.

7.3.2 CPRA Coastal Connections

Public engagement is also a vital element of developing the proposed MBSD Project. Since 2016, CPRA has participated in nearly 200 outreach and engagement activities focused on the proposed MBSD Project, reaching more than 7,000 people (Table 7-2). These public involvement efforts included a series of community meetings across coastal Louisiana. Over 30 Coastal Connections meetings provided coastal citizens and leaders – in Belle Chasse, Braithwaite, Empire, Ironton, Lafitte, Myrtle Grove, Phoenix, Port Sulfur, and other coastal communities – with regular conversations about sediment diversion projects, including the proposed MBSD Project. CPRA also hosted meetings with local governments and local government officials, such as the Plaquemines and St. Bernard Parish councils, and held numerous meetings with NGOs and educational groups. For example, the CPRA Diversion Team held a meeting with Coastal Communities Consulting, which works on behalf of the Vietnamese fishing community; 175 people attended the meeting. As part of their efforts with Coastal Communities Consulting, the CPRA Diversion Team translated several resource materials – such as diversion FAQs – into Vietnamese for community members. Throughout the planning process, CPRA also met with fisherman and industry representatives, including attending the oyster, shrimp, and crab task force meetings, and met with members of the navigation community, who rely on the Mississippi River for transport of goods and services. These outreach and engagement

efforts provided the public with an opportunity to ask questions and obtain information about the proposed MBSD Project.

| Table 7-2. Summary of Public Engagement and Number of People Reached to Discuss Sediment Diversions in the Barataria Basin, including the proposed MBSD Project, from 2016 to 2020^a | |
|---|---|
| Number and Type of Public Engagement Activities | Number of Events and People Reached |
| 51 Community events | 2,506 community members and residents |
| 13 Media events | 1,737 listeners |
| 19 CPRA board meetings and events | 986 board members and public attendees |
| 35 Coastal connections | 692 community members and residents |
| 5 Conferences | 555 attendees |
| 28 Parish leadership and outreach | 378 council members, committee members, and residents |
| 16 Environmental non-governmental organizations | 353 representatives, members, and attendees |
| 5 Business group meetings | 178 members and attendees |
| 8 Task force meetings | 85 task force members |
| 9 Governor's Advisory Commission | 80 members and attendees |
| 5 Federal agency meetings (for example, USACE, USGS, and SeaGrant) | 39 staff |
| ^a All activities occurred prior to, and are separate from, the public engagement process associated with this DEIS; see Section 7.4 for more details about the planned DEIS public comment process. | |

7.4 Opportunity for Public Comments on the DEIS

A Notice of Availability for the DEIS will be published in the *Federal Register* on March 5, 2021. The DEIS will be distributed for a 60-day public review and comment period. A Public Notice will be posted to the Project website, and mailed to all individuals, agencies, and organizations on the distribution list, and advertised in local media. Following publication of this DEIS, three public meetings will be held virtually since there are restrictions on in-person gatherings, to inform the public about the Project and to obtain and record public comments. The public meetings are anticipated to be held in April 2021. Comments received during these meetings and during the formal DEIS comment period will be addressed in the FEIS as required by relevant regulations, which will be made available for public review for 30 days prior to issuance of a ROD.

7.4.1 Concurrent Opportunities for Public Comments on the DEIS and Draft Restoration Plan

The LA TIG intends to publish a NOA for the MBSD Restoration Plan on March 5, 2021. The LA TIG will hold a 60-day public comment period (to run concurrent with the comment period on the MBSD DEIS) and will hold joint public meetings for the Restoration Plan in conjunction with USACE for the MBSD DEIS. The LA TIG intends to use this EIS to satisfy its obligations for NEPA review of its proposed action in the Restoration Plan.

7.5 Opportunity for Public Review of the FEIS

A Notice of Availability for the FEIS will be published in the *Federal Register*. A Public Notice will be posted to the Project website, and mailed to all individuals, agencies, and organizations on the distribution list. A 30-day public review period will follow. Any public comments received during the FEIS review period will be provided to the decision maker for consideration.

7.6 Record of Decision

The ROD will be issued after the close of the FEIS public review period. Any RODs completed and signed by other agencies for the FEIS for their respective authorities will be distributed by the agencies in accordance with each respective agency's policies and procedures.