

**DRAFT INDIVIDUAL ENVIRONMENTAL REPORT
SUPPLEMENTAL**

LAKE PONTCHARTRAIN AND VICINITY

EAST CITRUS LAKEFRONT LEVEE

ORLEANS PARISH, LOUISIANA

IERS #6



**US Army Corps
of Engineers®**

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TABLE OF CONTENTS

TITLE	PAGE
1. INTRODUCTION.....	1
1.1 PRIOR REPORTS.....	1
2. ALTERNATIVES.....	2
2.1 DESCRIPTION OF THE ALTERNATIVES.....	2
2.2 PROPOSED ACTION.....	2
2.3 ALTERNATIVES TO THE PROPOSED ACTION.....	4
3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES.....	5
3.1 ENVIRONMENTAL SETTING.....	5
3.2 SIGNIFICANT RESOURCES.....	5
3.2.1 Non-wetland /Upland Resources.....	6
3.2.2 Wildlife.....	7
3.2.3 Recreational Resources.....	8
3.2.4 Aesthetic (Visual) Resources.....	9
4. CUMULATIVE IMPACTS.....	10
5. SELECTION RATIONALE.....	10
6. COORDINATION AND CONSULTATION.....	11
6.1 AGENCY COORDINATION.....	11
7. MITIGATION.....	11
8. COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS.....	12
9. CONCLUSIONS.....	12
9.1 INTERIM DECISION.....	12
9.2 PREPARED BY.....	12

LIST OF TABLES

TITLE	PAGE
Table 1: Significant Resources in Project Study Area.....	5
Table 2: IER Preparation Team.....	13

LIST OF FIGURES

FIGURE	TITLE	PAGE
1	Conceptual plan for addition of floodwall to LPV 105.02 East.....	4

LIST OF APPENDICES

- Appendix A: List of Acronyms and Definitions of Common Terms
- Appendix B: Public Comment
- Appendix C: Members of Interagency Environmental Team
- Appendix D: Interagency Correspondence

1. INTRODUCTION

The U.S. Army Corps of Engineers (USACE), Mississippi Valley Division, New Orleans District (CEMVN), has prepared this Individual Environmental Report Supplemental #6 (IERS #6) to evaluate the potential impacts associated with the proposed project modifications to the original IER #6. The proposed project modifications are located in Orleans Parish, Louisiana. For the purposes of this IER Supplemental, the proposed project modifications are shown by reaches. Each reach is identified by a project identification number (e.g., LPV 106). Only those reaches associated with the proposed project revisions, referred to as the proposed action throughout this Supplemental, are discussed in this document.

On June 25, 2009, the District Commander signed the Decision Record for IER #6. IER #6 is hereby incorporated by reference into this supplemental document. Copies of the document and other supporting information are available upon request or at www.nolaenvironmental.gov. This supplemental document has been prepared to address proposed changes in the Government's approved plan.

1.1 PRIOR REPORTS

A number of studies and reports on water resources development in the proposed project area have been prepared by the USACE, other Federal, state, and local agencies, research institutes, and individuals. Pertinent studies, reports and projects completed since June 2009 are discussed below:

- On 5 November 2009, the CEMVN Commander signed a Decision Record on IERS #2 entitled "West Return Floodwall, Jefferson and St. Charles Parishes, Louisiana." The document was prepared to evaluate the potential impacts associated with replacement of the existing floodwall along the east embankment of the Parish Line Canal with a new T-wall approximately 35 feet west of the current alignment.
- On 28 September 2009, the CEMVN Commander signed a Decision Record on IER #30 entitled "Contractor-Furnished Borrow Material #5, St. Bernard and St. James Parishes, Louisiana, and Hancock County, Mississippi." The document was prepared to evaluate the potential impacts associated with the actions taken by commercial contractors as a result of excavating borrow areas for use in construction of the HSDRRS.
- On 8 September 2009, the CEMVN Commander signed a Decision Record on IER #29 entitled "Contractor-Furnished Borrow Material #4, Orleans, St. John the Baptist, and St. Tammany Parishes, Louisiana." The document was prepared to evaluate the potential impacts associated with the actions taken by commercial contractors as a result of excavating borrow areas for use in construction of the HSDRRS.
- On 30 June 2009, the CEMVN Commander signed a Decision Record on IER # 5 entitled "Lake Pontchartrain and Vicinity, Permanent Protection System for the Outfall Canals

Project on 17th Street, Orleans Avenue, and London Avenue Canals, Jefferson and Orleans Parishes, Louisiana.” The document evaluates the potential effects associated with the construction and maintenance of a permanent protection system for the 17th Street, Orleans Avenue, and London Avenue Canals.

- On 29 June 2009, the CEMVN signed a Decision Record on Individual Environmental Report Supplemental (IERS) # 1 entitled “Lake Pontchartrain and Vicinity, La Branche Wetlands Levee, St. Charles Parish, Louisiana.” The supplemental document evaluates the potential effects associated with the proposed project revisions to the original IER #1.
- On 23 June 2009, the CEMVN signed a Decision Record on IER # 8 entitled “Lake Pontchartrain and Vicinity, Bayou Dupre Control Structure, St. Bernard Parish, Louisiana.” The document evaluates the potential effects associated with the proposed improvement or replacement of a flood control structure on Bayou Dupre.
- On 19 June 2009, the CEMVN signed a Decision Record on IER # 7 entitled “Lake Pontchartrain and Vicinity, New Orleans Lakefront to Michoud Canal, Orleans Parish, Louisiana.” The document evaluates the potential effects associated with proposed improvements to three reaches of the East Orleans Hurricane Risk Reduction Levee that were originally constructed as part of the LPV project.

2. ALTERNATIVES

2.1 DESCRIPTION OF THE ALTERNATIVES

At the time of the completion of the original IER #6 report, engineering designs had not been finalized for all of the actions and alternatives. Since that time, engineering details of the action have been further developed and revised. Therefore, the changes to the action that could result in further impact to the natural or human environment are being addressed in this IER Supplemental.

No Action. Under the no action alternative, the Government-approved action as described in IER #6 would be constructed.

Proposed Action. The proposed action would be instrumental in providing 100-year level of risk reduction for Orleans Parish, Louisiana. The following reaches would be raised by the addition of floodwall rather than the raising of the existing levee: LPV 105.02, LPV 106 and LPV 107.

2.2 PROPOSED ACTION

LPV 105.02

A new I-wall would be placed near the crown of the existing 1,915 linear feet (ft) of earthen levee along the existing levee alignment. The new I-wall would be constructed to +15.5 ft

NAVD 88, approximately 2 ft above the existing levee elevation. The I-wall would be supported on steel sheet piling driven to an elevation varying from -22 ft to -40 ft. The crown of the existing levee and the floodside slope would be paved (figure 1). The new I-wall would be constructed between approximate baseline (B/L) station 56+00 to station 76+00 (east of Lamb Road to west of Danube Road). The remainder of the work to be completed on the LPV 105.02 reach would be as described in IER #6.

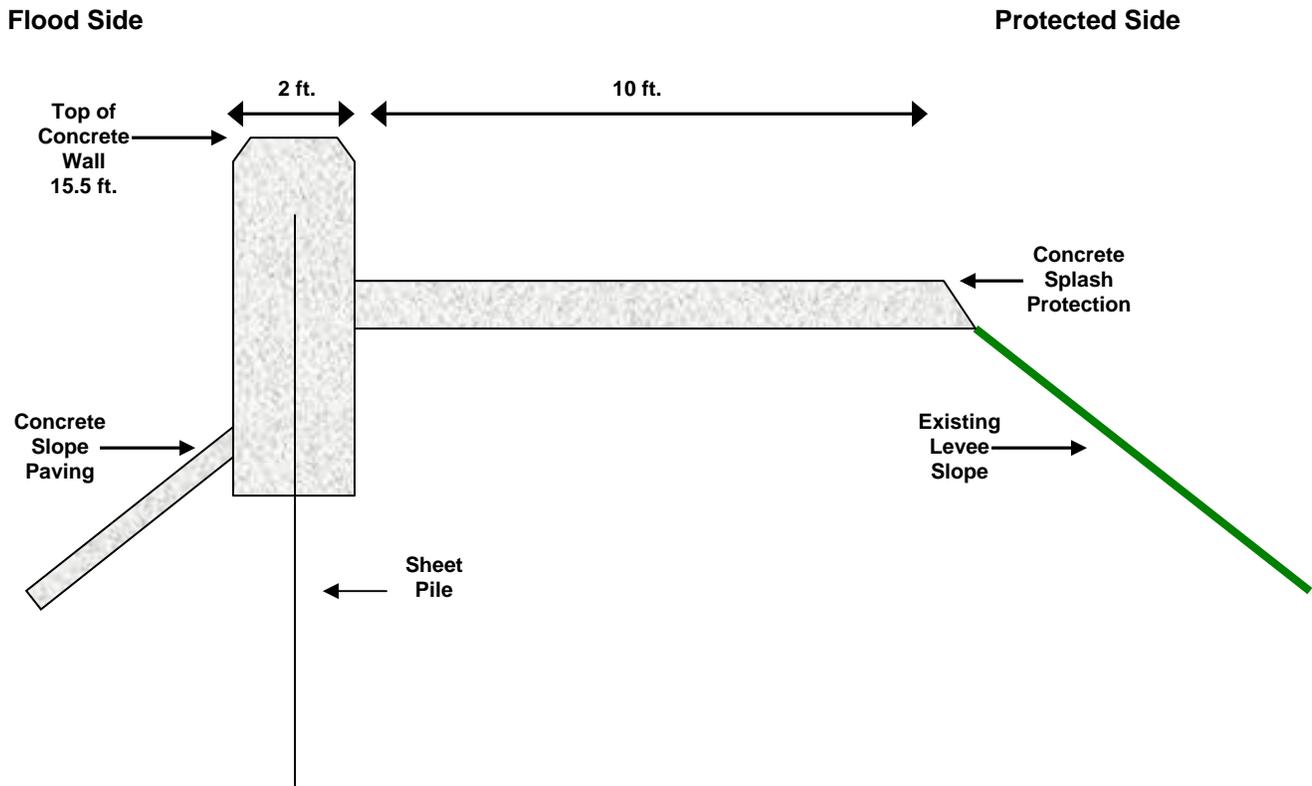


Figure 1: Conceptual design for addition of floodwall to LPV 105.02. All dimensions are approximate.

LPV 106

A new I-wall would be placed near the crown of the existing earthen levee along the existing levee alignment. The design would be similar to LPV 105.02 (figure 1), except that the new I-wall would be constructed to +14.5 ft NAVD 88, approximately 2 ft above the existing levee elevation. The I-wall would be supported on steel sheet piling driven to an elevation varying from -22 ft to -40 ft. The crown of the existing levee and the floodside slope would be paved. The new I-wall would be constructed between B/L Station 103+00 to Station 292+68 and between Station 307+81 to Station 331+00. A 480 linear ft T-wall transition between LPV-106 and LPV-108 would be constructed between Station 331+00 to Station 335+80.

LPV 107

The existing I-wall and earthen levee would be replaced by a T-wall to a height of +15.5 ft NAVD 88. The T-wall would be supported on piling driven to an elevation of approximately -60

ft with a sheetpile cutoff drive to elevation approximately -20 ft. The floodwall alignment would be shifted approximately 12 ft south (further away from the NSRR embankment), aligning LPV 107 with the LPV 106 alignment. The existing floodgate would be replaced with a new floodgate at elevation +15.5 ft NAVD 88 for access to the Lincoln Beach area.

Construction Information Common to All Reaches

The project will be constructed utilizing both conventional levee embankment construction equipment and I-wall construction equipment. This includes bulldozers, cranes, pile driving rigs, excavators, compactors, lowboys, concrete trucks, and dump trucks. As described in IER #6, a portion of Hayne Blvd. will be temporarily closed during the construction to allow for positioning of required construction equipment. The estimated construction duration is 450 days from Notice to Proceed.

2.3 ALTERNATIVES TO THE PROPOSED ACTION

No Action

LPV 105.02

The 1,915 linear ft of existing levee from east of Lamb Road to west of Danube Road would be raised with earthen embankment to an elevation that would not settle below a net grade of approximately +13.5 ft NAVD 88 in 10 years.

LPV 106

The existing levee crown would be initially lowered to create a working platform for construction equipment and a cutoff wall would be constructed. One of several different types of cutoff walls may be constructed and include cement-bentonite and soil-cement bentonite. The preferred option would be to construct a sheet pile cutoff wall (to prevent seepage beneath the levee) at the flood side toe of the levee to a depth of -17 ft below ground surface (bgs). After completion of the cutoff wall construction, the 4.18 miles of levee would be raised to an elevation that would not settle below a net grade of approximately +13.5 ft NAVD 88 in 10 years, with appropriate side slopes. An approximately 1-foot high cement curb would be constructed at the toe of the levee adjacent to Hayne Boulevard.

LPV 107

LPV 107 would replace existing I-wall and earthen levee with an earthen levee at an elevation that would not settle below net grade of approximately +13.5 ft NAVD 88. The existing levee and floodwall alignment would be shifted approximately 12 ft south (further away from the NSRR embankment), aligning 1,472 linear ft of new levee with the LPV 106 alignment. The earthen levee would be constructed with 3:1 (horizontal:vertical) side slopes and a retaining (*i.e.*, mechanically stabilized earth) wall constructed along Hayne Boulevard. Improvements to subgrade soils below the new levee would be accomplished through deep soil mixing. The existing floodgate would be replaced with a new gate structure and floodgate at elevation +15.5 ft NAVD 88 for access to the Lincoln Beach area.

3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 ENVIRONMENTAL SETTING

IER #6 contains a complete discussion of the Environmental Setting for the project area and is incorporated by reference into this document. As such, no discussion of environmental setting will be made in this document.

3.2 SIGNIFICANT RESOURCES

This section contains a list of the significant resources located in the vicinity of the proposed action, and describes in detail those resources that would be impacted, directly or indirectly, by the alternatives. Direct impacts are those that are caused by the action taken and occur at the same time and place (40 CFR §1508.8(a)). Indirect impacts are those that are caused by the action and are later in time or further removed in distance, but are still reasonably foreseeable (40 CFR §1508.8(b)). Cumulative impacts are discussed in section 4.

The resources described in this section are those recognized as significant by laws, executive orders, regulations, and other standards of National, state, or regional agencies and organizations; technical or scientific agencies, groups, or individuals; and the general public. Further detail on the significance of each of these resources can be found by contacting the CEMVN, or on www.nolaenvironmental.gov, which offers information on the ecological and human value of these resources, as well as the laws and regulations governing each resource. Search for “Significant Resources Background Material” in the website’s digital library for additional information. Table 1 shows those significant resources found within the project area, and notes whether they would be impacted by any of the alternatives analyzed in this IER.

**Table 1
Significant Resources in Project Study Area**

Significant Resource	Impacted	Not Impacted
Lake Pontchartrain		X*
Wetlands		X*
Non-wetland Resources/Upland Resources	X	
Fisheries		X*
Wildlife	X	
Essential Fish Habitat		X*
Endangered or Threatened Species		X*
Cultural Resources		X*
Recreational Resources	X	
Aesthetics (Visual Resources)	X	
Air Quality		X*
Noise		X*

Transportation		X*
Social and Economic Resources		X*
Hazardous, Toxic, and Radioactive Waste		X*

*= The proposed action poses no additional impacts above those described in IER #6; therefore these significant resources are not discussed in this document.

Existing conditions for the below resources were discussed in IER #6 and are incorporated by reference for each significant resource discussed in this document.

3.2.1 Non-wetland /Upland Resources

Discussion of Impacts

No Action

Direct, Indirect and Cumulative Impacts

Without implementation of the proposed action, the originally selected plan as discussed in IER #6 would be constructed. Consequently, direct, indirect, and cumulative impacts on non-wetland/upland resources would not differ from those described previously in IER #6.

Proposed Action

LPV 105.02

Direct Impacts

The proposed action would convert approximately 1 acre of the maintained turf grass of the existing levee to concrete, either in the form of slope paving, splash pads or floodwall. A portion of the protected side levee slope would remain turf grass.

Indirect and Cumulative Impacts

No new indirect or cumulative impacts to non-wetland/upland resources are anticipated.

LPV 106

Direct, Indirect and Cumulative Impacts

The proposed action would convert approximately 13 acres of the maintained turf grass of the existing levee to concrete, either in the form of slope paving, splash pads or floodwall. A portion of the protected side levee slope would remain turf grass.

LPV 107

Direct, Indirect and Cumulative Impacts

Because this reach is currently comprised of I-wall and T-wall on top of levee, the amount of maintained turf grass and concrete would remain essentially unchanged on this reach.

Direct, indirect, and cumulative impacts on non-wetland/upland resources would not differ from those described previously in the original IER #6.

3.2.2 Wildlife

Discussion of Impacts

No Action

Direct, Indirect and Cumulative Impacts

Without implementation of the proposed action, the originally selected plan as discussed in IER #6 would be constructed. Consequently, direct, indirect, and cumulative impacts on wildlife resources would not differ from those described previously in the original IER #6.

Proposed Action

LPV 105.02

Direct Impacts

The new floodwall will eliminate the existing terrestrial wildlife access to Lake Pontchartrain. This could impact species such as nutria, red fox, raccoon, Virginia opossum, and nine-banded armadillo. However, this access within the LPV 105 reach is limited to 1,915 linear ft of existing levee from east of Lamb Road to west of Danube Road. Secondly, because terrestrial wildlife currently has to cross both Hayne Boulevard and the Norfolk Southern Railroad (NSRR) to access Lake Pontchartrain, this area is already considerably fragmented and is not considered high quality wildlife habitat.

Indirect Impacts

Because the floodwall will create a new barrier to movement, there could be increased wildlife fatalities along Hayne Boulevard as terrestrial species attempt to find alternate pathways to Lake Pontchartrain. Although many individuals would likely travel the length of the floodwall until they reach the LPV 108 levee reach and are able to cross to Lake Pontchartrain, some may attempt to backtrack across Hayne Boulevard.

Cumulative Impacts

The combined conversion of LPV 105.02 and LPV 106 will require terrestrial species attempting to cross to Lake Pontchartrain to travel a greater distance to reach Lake Pontchartrain. Wildlife inhabiting the western portions of the New Orleans East polder would have to travel to the LPV 108 reach to pass to Lake Pontchartrain. Most of the common terrestrial species in this area would not be expected to be significantly impacted by this increased travel distance as these species do not have relatively small home ranges and, with the exception of the nutria, are omnivorous and do not rely on the lake edge habitat for feeding. Furthermore, the LPV 108 reach is adjacent to the Bayou Sauvage National Wildlife Refuge, which presumably serves as a more favorable corridor to Lake Pontchartrain because Hayne Boulevard terminates at the refuge and does not serve as a barrier to movement from the refuge to the lake.

LPV 106

Direct, Indirect and Cumulative Impacts

Impacts are expected to be similar to those anticipated for LPV 105.02.

LPV 107

Direct, Indirect and Cumulative Impacts

No new permanent impacts to wildlife are anticipated since the existing conditions in this area include floodwall.

3.2.3 Recreational Resources

Discussion of Impacts

No Action

Direct, Indirect and Cumulative Impacts

Without implementation of the proposed action, the originally selected plan as discussed in IER #6 would be constructed. Consequently, direct, indirect, and cumulative impacts on recreational resources would not differ from those described previously in the original IER #6.

Proposed Action

LPV 105.02

Direct, Indirect and Cumulative Impacts

This portion of LPV 105, although currently comprised of levee, does not currently provide direct pedestrian access to Lake Pontchartrain. This portion of the reach is also bounded by floodwall on the adjacent portions of this reach; therefore, this reach is not readily used for passive recreation such as biking and walking. Therefore, direct, indirect and cumulative impacts to recreational resources would not differ from those described in the original IER #6.

LPV 106

Direct Impacts

Because LPV 106 is currently levee, it provides for passive recreational uses such as walking and biking along the levee crown. The reach currently has intermittent concrete steps that aid pedestrian traffic to the top of the levee from Hayne Boulevard, from which access to Lake Pontchartrain can be obtained by crossing the adjacent railroad tracks and foreshore protection. The local sponsor has plans to remove these steps. Pedestrians could still access the levee crown without the aid of these concrete steps; however, pedestrian traffic would be restricted to the protected side of the new floodwall. Therefore, passive

recreational uses of the levee crown would still be available, but access to Lake Pontchartrain would be hindered. This restriction would impact fishing opportunities along this portion of the lakefront.

Indirect and Cumulative Impacts

No new indirect or cumulative impacts to recreation are anticipated.

LPV 107

Direct, Indirect and Cumulative Impacts

Because the visual character and pedestrian access of this reach would remain essentially unchanged, direct, indirect and cumulative impacts to recreational resources would not differ from those described in the original IER #6.

3.2.4 Aesthetic (Visual) Resources

Discussion of Impacts

No Action

Direct, Indirect and Cumulative Impacts

Without implementation of the proposed action, the originally selected plan as discussed in IER #6 would be constructed. Consequently, direct, indirect, and cumulative impacts on aesthetic resources would not differ from those described previously in the original IER #6.

Proposed Action

LPV 105.02

Direct Impacts

The visual quality of the lakefront would be altered by the construction of a wall in lieu of a levee. However, the project area is highly urbanized including roadways, railroad transportation corridors, and residential, commercial and public services. This portion of the HSDRRS is adjacent to the New Orleans Lakefront Airport and directly in front of the parking lot adjacent to South Shore Harbor parking lot. The adjacent neighborhood currently has an obstructed view of the lake along this reach, as the levee height and floodwalls on the adjacent portions of this reach preclude such views.

Indirect and Cumulative Impacts

No new indirect or cumulative impacts to aesthetics are anticipated.

LPV 106

Direct Impacts

As in LPV 105.02, the visual quality of the lakefront would be altered by the construction of a wall in lieu of a levee. However, the project area is highly urbanized including roadways, railroad transportation corridors, and residential, commercial and public services. The adjacent neighborhood currently has an obstructed view of the lake along this reach, as the levee height and adjacent floodwalls preclude such views.

Indirect and Cumulative Impacts

No new indirect or cumulative impacts to aesthetics are anticipated.

LPV 107

Direct, Indirect and Cumulative Impacts

Because the visual character of this reach would remain essentially unchanged, direct, indirect and cumulative impacts to aesthetic resources would not differ from those described in the original IER #6.

4. CUMULATIVE IMPACTS

Aside from cumulative impacts disclosed in IER #6, the only additional impacts would be those associated with the elimination of terrestrial wildlife access to Lake Pontchartrain from the combined conversion of LPV 105.02 and 106 from levee to floodwall. This impact could cause terrestrial species to have to travel farther to gain access to Lake Pontchartrain. This impact is discussed in greater detail in section 3.2.2 Wildlife.

5. SELECTION RATIONALE

IER #6 explained that for LPV 106, raising the existing levee was selected as the proposed action based on its lower cost, reduced construction time and maintenance of existing recreational opportunities. As designs for the levee enlargement were refined, new information regarding cost, schedule and constructability became available changing the relative differences between the levee and t-wall alternatives. Although a full T-wall would be more expensive than a levee enlargement, the current design requires a much smaller wall which would be roughly equivalent in cost to the levee enlargement. Because this new wall design would require less turf removal and reestablishment than the levee enlargement, the proposed modification would be less sensitive to weather delays and therefore could have a shorter construction duration than the levee enlargement. The new wall design also would not require additional lifts to meet the 100-year level of risk reduction over the 50 year life of the project, whereas the levee enlargement would require several such lifts.

The new information regarding cost and schedule for LPV 106 led the Project Delivery Team to revisit those portions of the LPV 105 and LPV 107 proposed actions that contained levee enlargements. Given the realized benefits of the new wall design, the proposed modification to

LPV 105.02 could have a shorter construction schedule than the levee enlargement at a roughly equivalent cost.

LPV 107 is situated between two segments of LPV 106. Because the proposed modification to LPV 106 would build floodwall along this reach, the conversion of the existing LPV 107 floodwalls to levee would not be efficient engineering; doing so would introduce unnecessary transitions between levee and floodwall that increases risk and reduces the reliability of the system.

6. COORDINATION AND CONSULTATION

6.1 AGENCY COORDINATION

Preparation of this IER Supplemental has been coordinated with appropriate Federal, state, and local interests, as well as environmental groups and other interested parties. An interagency environmental team was established for this project in which Federal and state agency staff played an integral part in the project planning and alternative analysis phases of the project (members of this team are listed in appendix C). This interagency environmental team was integrated with the CEMVN PDT to assist in the planning of this project and to complete a mitigation determination of the potential direct and indirect impacts of the proposed action. Monthly meetings with resource agencies were held concerning this and other IER projects.

The U.S. Fish and Wildlife Service (USFWS) reviewed the proposed action to see if it would affect any T&E species, or their critical habitat. The USFWS concurred with the CEMVN in a letter dated 13 November 2009 that the proposed action would not have adverse impact on T&E species.

In a letter dated 5 October 2009, The CEMVN requested a modification to the Coastal Zone Consistency Determination C20090065 for IER #6. This modification is currently under review by the Louisiana Department of Natural Resources (LaDNR).

A modified Fish and Wildlife Coordination Act Report (CAR) was provided by the USFWS on 2 December 2009. The 2 December 2009 report along with the 29 May 2009 Final Fish and Wildlife Coordination Act (FWCA) Report addresses the study area, significant fish and wildlife species, and project construction to be conducted within the IER #6 project area. The Final and modified CARs concluded that the USFWS does not object to the construction of the proposed project provided that fish and wildlife conservation recommendations are implemented concurrently with project implementation.

The USFWS believes that the project-specific recommendations provided in the 29 May 2009 Final FWCA Report continue to remain valid.

7. MITIGATION

No new wetland impacts are anticipated from the proposed action. The compensatory mitigation discussed in IER #6 remains valid.

8. COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS

Construction of the proposed action would not commence until the proposed action achieves environmental compliance with all applicable laws and regulations. Environmental compliance for the proposed action will be achieved upon coordination of this IER with appropriate agencies, organizations, and individuals for their review and comments.

9. CONCLUSIONS

9.1 INTERIM DECISION

The CEMVN proposes to construct a new I-wall near the crown of the existing earthen levee on the 1,915 ft. of existing levee within LPV 105.02 and the entire LPV 106 reach. A 480 linear ft T-wall transition between LPV-106 and LPV-108 would be constructed between Station 331+00 to Station 335+80. The CEMVN also proposes to replace the existing I-wall and earthen levee on LPV 107 with T-wall.

The CEMVN has assessed the environmental impacts of the proposed action and has determined that the proposed action would have the following impacts:

Non-wetland/ Upland Resources

A portion of the LPV 105.02 and 106 currently maintained turf grass would be converted to concrete.

Wildlife

Terrestrial wildlife passage to Lake Pontchartrain would be eliminated along the western portion of the New Orleans East polder, necessitating wildlife to travel into Bayou Sauvage National Wildlife Refuge to pass to Lake Pontchartrain.

Recreational Resources

Pedestrian access to Lake Pontchartrain would be hindered, but passive use of the levee crown would still be available.

Aesthetic (Visual) Resources

The viewshed from the street level along all three reaches would remain essentially unchanged as the adjacent neighborhood and businesses do not currently have an unobstructed view of Lake Pontchartrain.

9.2 PREPARED BY

The point of contact for this IER Supplemental is Ms. Joan M. Exnicios, USACE, New Orleans District, CEMVN-PM-RS. Table 2 lists the preparers of relevant section of this report. Ms. Exnicios can be reached at the U.S. Army Corps of Engineers, New Orleans District; CEMVN-PM-RS, P.O. Box 60267, New Orleans, Louisiana 70118.

Table 2
IER Preparation Team

Environmental Coordinator	Laura Lee Wilkinson, USACE
Environmental Project Manager	Lee Walker, Evans-Graves Engineers
Socioeconomic Analysis	Joseph Mann, USACE
Technical Editor	Jennifer Darville, USACE
Internal Technical Review	Thomas Keevin, USACE
Office of Counsel	Rita Trotter, USACE

APPENDIX A: LIST OF ACRONYMS AND DEFINITIONS OF COMMON TERMS

CEMVN	U.S. Army Corps of Engineers, New Orleans District
CAR	Coordination Act Report
FWCA	Fish and Wildlife Coordination Act
IER	Individual Environmental Report
IERS	Individual Environmental Report Supplemental
LPV	Lake Pontchartrain and Vicinity
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service

APPENDIX B: PUBLIC COMMENT

All public comments received during the 30-day public comment period will be provided in this appendix of the Final IER

APPENDIX C: MEMBERS OF INTERAGENCY ENVIRONMENTAL TEAM

Kyle Balkum	Louisiana Dept. of Wildlife and Fisheries
Catherine Breaux	U.S. Fish and Wildlife Service
David Castellanos	U.S. Fish and Wildlife Service
Frank Cole	Louisiana Department of Natural Resources
John Ettinger	U.S. Environmental Protection Agency
Jeffrey Harris	Louisiana Department of Natural Resources
Richard Hartman	NOAA National Marine Fisheries Service
Christina Hunnicutt	U.S. Geologic Survey
Barbara Keeler	U.S. Environmental Protection Agency
Kirk Kilgen	Louisiana Department of Natural Resources
Tim Killeen	Louisiana Department of Natural Resources
Brian Lezina	Louisiana Dept. of Wildlife and Fisheries
David Muth	U.S. National Park Service
Jamie Phillippe	Louisiana Dept. of Environmental Quality
Heather Finley	Louisiana Dept. of Wildlife and Fisheries
Reneé Sanders	Louisiana Department of Natural Resources
Angela Trahan	U.S. Fish and Wildlife Service
David Walther	U.S. Fish and Wildlife Service
Patrick Williams	NOAA National Marine Fisheries Service
Ismail Merhi	Office of Coastal Protection and Restoration

APPENDIX D: INTERAGENCY CORRESPONDENCE



United States Department of the Interior

FISH AND WILDLIFE SERVICE
646 Cajundome Blvd.
Suite 400
Lafayette, Louisiana 70506



November 13, 2009

Colonel Alvin B. Lee
District Engineer
U.S. Army Corps of Engineers
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Colonel Lee,

Please reference an October 15, 2009, letter, from Ms. Laura Lee Wilkinson, requesting our review of the U.S. Army Corps of Engineers' (Corps) proposed modifications to the 100 Year Hurricane Protection Project for Individual Environmental Report (IER) #6 in Orleans Parish. In that letter, the Corps also requests the Service's concurrence with the Corps determination of no adverse effects to any threatened or endangered species or their critical habitat due to those modifications. That project would involve improvements to levees, floodwalls, floodgates, and construction of new barriers, closure structures, and/or permanent pump stations in New Orleans East. These improvements are necessary to provide 100-year level flood protection for the New Orleans Metropolitan area. The U.S. Fish and Wildlife Service (Service) has reviewed the information provided, and offers the following comments in accordance with the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), the Migratory Bird Treaty Act (MBTA) (40 Stat. 755, as amended; 16 U.S.C. 703 et seq.), and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

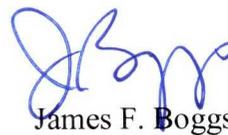
According to the Corps' letter, a new I-wall would be constructed within the existing levee for LPV 106 and 105.02, to an elevation of +15.5 feet NAVD 88, which would extend approximately 2 feet above the existing levee. The crown and floodside slope of the levee would also be paved with concrete. These modifications to the plan described in IER #6 would affect only the levee itself and not any surrounding wetlands, aquatic habitat, or forested areas. The 2-foot-high wall may impede the movement of smaller mammals and herpetofauna; however, the area on the protected side of this levee section is developed and the four lane road adjacent to the levee already limits wildlife crossings. Therefore, the Service does not object to the proposed modifications to the plans for IER #6.

In letters dated December 6, 2007, and January 30, 2009, the Service concurred with the Corps' determination that the proposed flood protection projects described in IERs #5 through #11 would not adversely affect any threatened or endangered species or their critical habitat. The Service believes that the proposed modifications to the plan would not cause additional or significantly different affects on fish and wildlife resources in the project area. The species with the greatest potential for impacts, the endangered West Indian manatee (*Trichechus manatus*) and the threatened Gulf sturgeon (*Acipenser oxyrinchus desotoi*), are aquatic and would not be affected by the completely land-based project modifications.

Based on our review, the Service concurs with your determinations that the proposed modifications to project features in IER #6 are not likely to adversely affect any threatened or endangered species or their critical habitat. The Service continues to recommend that a qualified biologist inspect the proposed work sites for the presence of undocumented waterbird nesting colonies during the nesting season (e.g. February through September depending on the species). If colonies exist, work should not be conducted within 1,000 feet of the colony during the nesting season

We appreciate the opportunity to review the proposed modifications to the 100 year hurricane protection plans for IER #6. If you need further assistance or have questions regarding this letter, please contact David Castellanos (337/291-3112) of this office.

Sincerely,



James F. Boggs
Supervisor
Louisiana Field Office

cc: Laura Lee Wilkinson, CEMVN-HPO, New Orleans, LA
EPA, Dallas, TX
NOAA, Baton Rouge, LA
LDWF, Natural Heritage, Baton Rouge, LA
LDNR, CMD, Baton Rouge, LA
OCPR, Baton Rouge, LA



United States Department of the Interior

FISH AND WILDLIFE SERVICE
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Lafayette, Louisiana 70506



December 2, 2009

Colonel Alvin B. Lee
District Commander
U.S. Army Corps of Engineers
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Colonel Lee:

Please reference the “Individual Environmental Report (IER) Lake Pontchartrain and Vicinity (LPV) Orleans Parish, Louisiana (IER #6)”. That study was conducted in response to Public Law 109-234, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Supplemental 4). That law authorized the U.S. Army Corps of Engineers (Corps) to upgrade some existing hurricane protection projects to provide protection against a 100-year hurricane event. In a letter dated October 15, 2009, from Ms. Laura Lee Wilkinson, the Corps proposes modifications to the original plan which would be addressed in the “Draft Individual Environmental Report Supplemental Lake Pontchartrain and Vicinity East Citrus Lakefront Levee Orleans Parish, Louisiana” (IERS #6). The U.S. Fish and Wildlife Service (Service) provided recommendations on the previously proposed plan to the Corps in the March 27, 2009, Draft, and May 29, 2009, Final Fish and Wildlife Coordination Act (FWCA) Reports. This letter supplements those reports and is submitted in accordance with provisions of the FWCA (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.). This letter does not constitute the report of the Secretary of the Interior as required by Section 2(b) of the FWCA. This letter has been provided to the Louisiana Department of Wildlife and Fisheries and the National Marine Fisheries Service; their comments will be incorporated into our final report.

A description of the study area and a discussion of the significant fish and wildlife resources (including habitats) that occur within that study area are contained in our May 2009 report. For brevity, that information and discussion is incorporated by reference herein.

The proposed plan changes relevant to wildlife concern only LPV 105.2 and LPV 106. According to the Corps’ letter, a new I-wall would be constructed within the existing levee for LPV 105.02 and 106, to an elevation of +15.5 and +14.5 feet NAVD 88, respectively, which would extend approximately 2 feet above the existing levee. The crown and floodside slope of the levee would also be paved with concrete. These modifications to the plan described in IER #6 would affect only the levee itself and not any surrounding wetlands, aquatic habitat, or forested areas. The 2-foot-high wall may impede the movement of smaller mammals and herpetofauna; however, the area on the protected side of this levee section is developed and the four lane road adjacent to the levee already limits wildlife crossings.

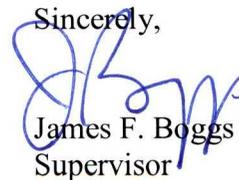
The proposed floodwall and paving changes to the original plan are not significant to wildlife in the area and they are located within the existing right of ways; therefore, impacts were already addressed in the previous FWCA reports.

The Service has reviewed the changes made to the IER #6 proposed plan and does not object to the construction of the newly proposed plan. The Service believes that the recommendations (presented below) provided in our May, 2009, Final FWCA Report continue to remain valid.

1. The Service shall be provided an opportunity to review and submit recommendations on the draft plans and specifications for all levee work addressed in this report.
2. The Corps should utilize Service provided guidance concerning the West Indian manatee and the Gulf sturgeon.
3. The Corps should monitor the recovery of the SAV beds in the shallower portions (i.e., less than 3 feet in depth) of Lake Pontchartrain along the entire extent of IER 6. If SAV has not re-colonized to pre-project conditions within one year following backfilling, the Corps should plant appropriate species of SAV in the project area. Coordination with the Service, NMFS and other interested natural resource agencies should be conducted to determine the adequacy of recovery and planting specification, if needed.
4. If practicable, any dredged material excavated for construction of the access channels determined to be in excess of what is required to refill the channels should be used beneficially. Placement along the south shore of Lake Pontchartrain adjacent to the foreshore rock protection would likely hasten emergent marsh habitat establishment.
5. If a proposed project feature is changed significantly or is not implemented within one year of the date of our Endangered Species Act consultation letter, we recommend that the Corps reinitiate coordination with this office to ensure that the proposed project would not adversely affect any federally listed threatened or endangered species or their habitat.

Thank you for the opportunity to review the proposed revisions to IER #6. If the project scope or design changes, the Service requests that the Corps reinitiate FWCA coordination to ensure that the above recommendations remain valid. If you or your staff has any questions regarding this matter, please have them contact David Castellanos (337/291-3112) of this office.

Sincerely,



James F. Boggs
Supervisor

Louisiana Field Office

cc: Ms. Laura Lee Wilkinson, CEMVN-HPO, New Orleans, LA
EPA, Dallas, TX
National Marine Fisheries Service, Baton Rouge, LA
LA Dept. of Wildlife and Fisheries, Baton Rouge, LA
LA Dept. of Natural Resources (CMD), Baton Rouge, LA
OCPR, Baton Rouge, LA