



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

February 3, 2011

CLEAN WATER ACT, SECTION 404
RIVERS AND HARBORS ACT, SECTION 10
PUBLIC NOTICE

Improved Protection on the Inner Harbor Navigation Canal
Individual Environmental Report Supplement #11.c (IERS #11.c)

INTRODUCTION. This Public Notice is issued in accordance with provisions of Title 33 CFR Parts 336.1(b)(1) and 337.1, which establish policy, practices, and procedures to be followed on Federal actions involving the disposal of dredged or fill material into waters of the United States.

PROJECT AUTHORITY. The LPV project was authorized under the Flood Control Act of 1965 (Public Law [PL] 89-298, Title II, Sec. 204) which amended an authorized "project for hurricane protection on Lake Pontchartrain, Louisiana ... substantially in accordance with the recommendations of the Chief of Engineers in House Document 231, Eighty-ninth Congress." The original statutory authorization for the LPV project was amended by the Water Resources Development Acts (WRDA) of 1974 (PL 93-251, Title I, Sec. 92); 1986 (PL 99-662, Title VIII, Sec. 805); 1990 (PL 101-640, Sec. 116); 1992 (PL 102-580, Sec. 102); 1996 (PL 104-303, Sec. 325); 1999 (PL 106-53, Sec. 324); and 2000 (PL 106-541, Sec. 432); Energy and Water Development Appropriations Acts of 1992 (PL 102-104, Title I, Construction, General); 1993 (PL 102-377, Title I Construction, General); and 1994 (PL 103-126, Title I Construction, General).

The Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery of 2006 (4th Supplemental – PL 109-234, Title II, Chapter 3, Construction, and Flood Control and Coastal Emergencies) authorized construction of a 100-year level of protection. Additional Supplemental Appropriations include the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007 H. R. 2206 (pg. 41-44) Title IV, Chapter 3, Flood Control and Coastal Emergencies, (5th Supplemental), General Provisions, Sec. 4302.

LOCATION. The proposed action is located in Orleans and St. Bernard Parishes, Louisiana.

PROJECT DESCRIPTION. This public notice is for a proposed change to a previously authorized action, which was originally described in "Final Individual Environmental Report #11 Improved Protection on the Inner Harbor Navigation Canal (IHNC), Tier 2 Borgne, Orleans and St. Bernard Parishes, Louisiana." A Clean Water Act, Section 404 and Rivers and Harbors Act, Section 10 Public Notice was issued for that action, which is a component of the Greater New Orleans Hurricane and Storm Damage Risk Reduction System (HSDRRS) and consists of the construction of 2 miles of new flood protection extending from the Michoud floodwall north of the Gulf Intracoastal Waterway (GIWW) to the levee on the west side of the Mississippi River Gulf Outlet (MRGO). The flood protection crosses the GIWW, Bayou Bienvenue, the MRGO, and the Golden Triangle marsh between these waterways. The proposed change to the

authorized action is due to the unexpected acceleration of bankline erosion in the project area and proposed shoreline protection. The original footprint of the area impacted by construction of the floodwall was estimated to be approximately 350 ft wide and 5,400 ft long.

During a survey of the construction access channel for the new floodwall/gated system, it was observed that the bankline has eroded past the right-of-way (ROW) disclosed in IER #11 Tier 2 Borgne. The proposed change to the authorized action would consist of the construction of approx 13,000 ft (2.5 miles) of shoreline protection along the flood and protected side of the expanded construction access channel with a Toe Elevation at -5.0 ft NAVD. This expanded footprint, approximately 75 ft of additional ROW on the protected side and 150 ft of additional ROW on the flood side, includes the area adjacent to the access channel where the erosion has previously occurred, additional area for erosion which is anticipated to occur over the next 6-12 months, as well as area required for bankline shaping during construction and placement of geotextile and rock riprap.

Shoreline protection would consist of placing geotextile fabric with a cover layer of rock riprap to a -5 NAVD 88 elevation along the bankline. In areas in which the construction access channel has eroded adjacent to an open water pond, and no shoreline exists, a rock dike would be constructed in line with the new shoreline protection to minimize erosion within the adjacent open water pond. Approximately 140,000 tons of riprap and 94,000 square yards of geotextile fabric would be used for the construction.

To create adequate side slopes for the placement of rock, bank shaping would be required on all shoreline locations. Bank shaping would require the removal sediment material to shape the bank for placement of rock. The sediments removed for bank shaping would be placed within the Beneficial Use (BU) disposal area approved in IER #11 Tier 2 Borgne. Maintenance dredging of the access channel would remove material which has sloughed off of the access channel banks to provide the approved access channel elevation of -17.0 NAVD88. The total disposed material from shoreline shaping and channel dredging is anticipated to be approximately 185,000 cubic yards (cy). This material would be disposed of in the approved BU Area for marsh nourishment as described in IER #11 Tier 2 Borgne. Project equipment would consist of deck barges, excavators mounted on barges for rock placement and channel side slope shaping, 10 cy dragline or bucket crane for rock placement, tug boats, crew boats, quarter barge. The project duration would be approximately 6 months.

Additional ROW would also be used at the northern terminus of the project, on the bank of the GIWW. Acquisition of the ROW as disclosed in IER #11 Tier 2 Borgne would have left an "uneconomic parcel" within the larger landowner's parcel. This means that by acquiring only a portion of the landowner's property, the landowner would have been left with a remnant of the property that is of little utility or value. Therefore, CEMVN was legally required by Title 3, Section 301, Para. (9) of the Uniform Relocation Act to offer to acquire this uneconomic remnant, and the landowner accepted this offer. CEMVN proposes to use a portion of this parcel

as a storage area for the adjacent GIWW gate and to minimize temporary clearing of vegetation within this parcel to the extent practicable.

The proposed action itself consists of measures to minimize the adverse effects of storm water erosion and thus requires no separate measures or controls for compliance with CWA Section 402(p) and LAC 33:IX.2341.B.14.j.

DISCHARGES BY OTHERS. No discharges are anticipated by others.

OTHER INFORMATION. On August 29, 2005, Hurricane Katrina caused major damage to the Federal and non-Federal flood control and storm damage risk reduction systems in Southeast Louisiana. Hurricane Rita followed this storm on September 24, 2005, and made landfall on the Louisiana-Texas state border, causing damage to the HSDRRS in southern Louisiana. Since the storms, the U.S. Army Corps of Engineers (USACE) has been working with state and local officials to restore the Federal and non-Federal flood control and HSDRRS and related works in the affected area.

To date, approximately 60 percent or less of the New Orleans population has returned to the area. Many residents and businesses are waiting to see positive improvements in the level of protection before returning to the area. A USACE goal of June 2011 has been set for completion of much of the work that will raise the level of protection in the New Orleans area to a new standard and provide a level of security to residents and businesses that will allow and encourage them to return to the area. Federal flood protection eligibility requires 100-year level of protection.

PROPERTIES ADJACENT TO DISPOSAL SITES: Property south of the beneficial use disposal site, the Golden Triangle marshes, and the MRGO is primarily uninhabited land within the Chalmette Loop Hurricane Protection System in St. Bernard Parish. To the north of the beneficial use disposal site, across the GIWW in Orleans Parish, are properties covered by undeveloped, forested wetlands and industrial facilities near the Michoud Canal. The northern end of the disposal area is within the western tip of the Bayou Sauvage National Wildlife Refuge property, which extends to the east and northeast of the disposal area.

STATUS OF IERS #11.c AND OTHER ENVIRONMENTAL DOCUMENTS. The impacts associated with the proposed action will be publicly disclosed in IER Supplement #11.c, which has been released concurrently with this public notice in accordance with the National Environmental Policy Act (NEPA) of 1969 and the President's Council on Environmental Quality's (CEQ) Regulations (40 CFR §1500-1508), as reflected in the USACE Engineering Regulation, ER 2002-2. The execution of an IER, in lieu of a traditional Environmental Assessment (EA) or Environmental Impact Statement (EIS), is provided for in ER 200-2-2, Environmental Quality (33 CFR §230) Procedures for Implementing the NEPA and pursuant to the CEQ NEPA Implementation Regulations (40 CFR §1506.11). The Alternative Arrangements can be found at www.nolaenvironmental.gov. The CEMVN implemented Alternative

Arrangements on March 13, 2007, in coordination with CEQ. This process was implemented to expeditiously complete environmental analyses for any changes to the authorized system and the 100-year level of the HSDRRS authorized and funded by Congress and the Administration. The proposed actions are located in southeastern Louisiana and are part of the Federal effort to rebuild and complete construction of the HSDRRS in the New Orleans metropolitan area as a result of Hurricanes Katrina and Rita.

Environmental compliance for the proposed action would be achieved upon: coordination of this Individual Environmental Report Supplemental with appropriate agencies, organizations, and individuals for their review and comments; U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) confirmation that the proposed action would not be likely to adversely affect any endangered or threatened species; Louisiana Department of Natural Resources concurrence with the determination that the proposed action is consistent, to the maximum extent practicable, with the Louisiana Coastal Resources Program; receipt of a Water Quality Certificate from the State of Louisiana; public review of the Section 404(b)(1) Public Notice; signature of the Section 404(b)(1) Evaluation; receipt of the Louisiana State Historic Preservation Officer Determination of No Affect on cultural resources; receipt and acceptance or resolution of all USFWS Fish and Wildlife Coordination Act recommendations; receipt and acceptance or resolution of all Louisiana Department of Environmental Quality comments on the air quality impact analysis documented in the IER; and receipt and acceptance or resolution of all NMFS Essential Fish Habitat recommendations. The Decision Record would not be signed until the proposed action achieves environmental compliance with applicable laws and regulations, as described above.

COORDINATION. The following is a partial list of agencies to which a copy of this notice is being sent:

- U.S. Environmental Protection Agency, Region VI
- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of Commerce, NOAA, National Marine Fisheries Service
- U.S. Coast Guard, Eighth District
- Louisiana Department of Environmental Quality
- Louisiana Department of Natural Resources
- Louisiana Department of Wildlife and Fisheries
- Louisiana Department of Transportation and Development
- Louisiana State Historic Preservation Officer
- Governor's Executive Assistant for Coastal Activities

This notice is being distributed to these and other appropriate Congressional, Federal, state, and local interests, environmental organizations, and other interested parties.

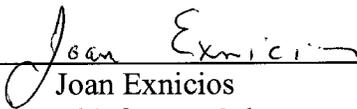
EVALUATION FACTORS. Evaluation includes application of the Section 404(b)(1) guidelines promulgated by the Administrator of the U.S. Environmental Protection Agency, through 40 CFR 230.

PUBLIC INVOLVEMENT. Interested parties may express their views on the disposal of material associated with the proposed action or suggest modifications. Comments may be submitted in writing to Laura Lee Wilkinson, Hurricane Protection Office, P.O. Box 60267, New Orleans, Louisiana 70160-0267. All comments postmarked on or before the expiration of the comment period for this notice will be considered.

Any person who has an interest that may be affected by deposition of excavated or dredged material may request a public hearing. The request must be submitted in writing to the District Engineer within the comment period of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by the proposed action.

You are requested to communicate the information contained in this notice to any parties who may have an interest in the proposed action.

For further information regarding the proposed action, please contact Ms. Laura Lee Wilkinson at (504) 862-1212. Ms. Wilkinson's FAX number is (504) 862-1557 and her E-mail address is Laura.L.Wilkinson@usace.army.mil.



Joan Exnicios
Chief, New Orleans
Environmental Branch

COMMENT PERIOD FOR THIS PUBLIC NOTICE EXPIRES: MAR 04 2011