

File

Protection - High Level Plan
Lake Pontchartrain Basin

S: 26 Oct 89

CELMV-PD-F (1105-2-10c)

20 Oct 89

MEMORANDUM FOR

CELMV-PD-E
~~CELMV-PD-R~~

SUBJECT: DM #18 St. Charles Parish - North of Airline Highway - HPP

Please review enclosed subject document and furnish your comments NLT
26 Oct 89.

Encl

Wayne O'Bannon
WAYNE O'BANNON
Chief, Plan Formulation Branch

CELMV-PD-R 1st End

Mr. *B* Brown/cr/5850

CELMV-PD-R

27 October 1989

FOR CELMV-PD-F

The subject CECW-EP comments and the 2nd Endorsement thereto serve to reinforce CELMV-PD-R comment l.c. on the 2nd Endorsement to CELMN-ED-SP-2nd Endorsement which we sent to your office on 20 October 1989 (encl 2). Specifically, these documents make it clear that there is a need to further evaluate the impacts of substituting pumps for culverts and related matters such as location of the levee alignment on wetlands losses, endangered species, etc. We strongly recommend that NOD be directed to prepare a new EA/FONSI or EA/Supplement II to the FEIS that addresses these issues and that clarifies how project modifications would affect the wetlands and related resources in the area.

- 2 Encls
- Added encl 2
- 1. nc
- 2. as

A. Brown
for H. T. HOLLAND III
Chief, Environmental Analysis Branch

CELMV-PD-R (1105-2-10c) 1st End Mr. Pullen/cr/5851
SUBJECT: DM #18, St. Charles Parish - North of Airline Highway Hurricane
Protection Project

CELMV-PD-R

20 October 1989

FOR CELMV-PD-F

1. Comments on the 2nd Endorsement.

a. Page 6, comment 8. This response does not adequately respond to 1st Endorsement Technical Staff comment 2.b). The contention that "the Federal interest in the pumping stations....would be limited to insuring that they....afford the same level of protection....as would the features....they would replace" is incorrect. The Federal interest in the pumping stations also would include seeing to it that the approximately 4000 acres of wetlands to be impounded by the levee would not be adversely affected by installation of pumps in lieu of culverts or that any wetlands losses would be mitigated. The Final Supplemental EIS for the project (page EIS-51, encl 2) clearly states that culverts would maintain existing water exchange and thus help preserve wetlands thus mitigating by avoidance potential major environmental losses. The NOD response does nothing to address this need and to demonstrate how pumps would affect wetland preservation. NOD should readdress the substitution of pumps for culverts and provide information on impacts, the need for an additional supplement to the Final EIS to cover these impacts, potential additional mitigation needs and local requirements to cover any new mitigation costs, and how these matters will be coordinated with resource agencies such and the U.S. Fish and Wildlife Service.

b. Page 10, comment 28. In addition to the 9 November 88 letter, there is a more recent letter from the Fish and Wildlife Service dated 5 April 89 (encl 3) that should also be responded to. This letter deals with issues involving endangered species, the need for a supplemental EIS if pumps are substituted for drainage structures, and other related matters. A copy of the NOD response to this letter should also be provided by separate endorsement.

c. Page 10, comment 29. The purpose of an Environmental Assessment (EA) is to evaluate a proposed action (in this case, a project modification) to determine its significance. If the action produces insignificant environmental effects, then a Finding of No Significant Impact (FONSI) is prepared. If significant effects do occur, then an EIS or a Supplement to an EIS is required. An EA cannot serve to supplement an EIS as is stated here and in the original EA. Additionally, we do not agree that the purpose and extent of coverage of the EA/FONSI was clearly spelled out. In fact the 6 February 1989 letter of comment on the EA/unsigned FONSI from the National Marine Fisheries Service indicates that the FONSI should be corrected to more clearly indicate its intended

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coverage relative to project modifications. Moreover, we disagree that from the outset of studies, the proposed levee centerline has been located about 800 feet north of the airline highway. Both the Final Supplemental EIS and its Record of Decision indicate an alignment "just north" of airline highway. There is no mention of an alignment 800 feet north in these documents. In view of the confusion that surrounds the EA/FONSI, the agreed upon location of the levee alignment, and the need to further evaluate the impacts of substituting pumps for culverts on wetland losses we strongly recommend that the entire set of issues be treated in a new set of NEPA documents (new EA/FONSI or EA/Supplement II to the FEIS). We do not believe the position that matters dealing with substitution of pumps for culverts should be dealt with as a part of the permitting process is tenable.

2. This office recommends that CELMV continue to withhold full approval of the subject GDM pending confirmation that a Class B permit will be provided by the State of Louisiana to cross scenic streams and pending full resolution of the concerns expressed in the comments on the 2nd Endorsement provided above.

3 encls
Added encl 2-3
1. nc
2-3. as

H. T. HOLLAND III
Chief, Environmental Analysis Branch