FACT SHEET

Name of project: LAKE PONTCHARTRAIN, LOUISIANA AND VICINITY

Authorization: Public Law 89-298, Flood Control Act of 1965, Approved 27 October 1965 (H.D. 231/89/1)

Description: The project consists of the following features:

a. Lake Pontchartrain Barrier Plan: Barrier structures are to be constructed at the outlets of Lake Pontchartrain in order to provide a means of limiting the entry of hurricane generated tides into Lake Pontchartrain. These structural complexes consist of a navigation lock, a flood control structure, and a closure dam at The Rigolets (Rigolets Complex); a navigation structure, a flood control structure and a closure dam at Chef Menteur Pass (Chef Menteur Complex); and a navigation lock, a flood control structure and a connecting rock dike at Seabrook (Seabrook Complex). Existing systems of levees and floodwalls are to be improved and new systems are to be constructed along the south shore of Lake Pontchartrain from the Bonnet Carre Floodway to South Point, along both sides of the connecting canal (Inner Harbor Navigation Canal) from Lake Pontchartrain to the Mississippi River (IHNC east and west levees), along the back of Citrus and New Orleans East to the Chef Menteur Complex, and along the east side of New Orleans East from South Point to the Gulf Intracoastal Waterway.

b. Chalmette Area Plan: A system of levees and floodwalls is to be improved and constructed around the Chalmette area along the Mississippi River-Gulf Outlet with connections to the Mississippi River levees.

Summarized Financial Data (1 October 1979):

Federal first cost	$464,000,000	(fully funded)
Non-Federal first cost	217,000,000	(fully funded)
Total project first cost	$681,000,000	(fully funded)
B/C ratio	14.1 to 1	

Local Cooperation: Assurances from the Orleans Levee Board for the entire project were originally accepted in 1966. Because of the rising non-Federal cost of participation and the widespread benefits to be derived by surrounding parishes, the Governor, in 1971, designated the Louisiana Department of Public Works (DPW) as the local coordinating agency. New assurances were received from the Orleans Levee Board, the St. Bernard Parish Police Jury/Lake Borgne Basin Levee Board and the Pontchartrain Levee District, but were not received from the St. Tammany Parish Police Jury. The Governor, in 1972, executed assurances on behalf of the St. Tammany Parish Police Jury, but the required attorney's opinion was not forthcoming. Under the provisions of Section 92

of the Water Resources Development Act of 1974 (Hebert Bill), enacted in February 1974, non-Federal public bodies may extend the time required to make their cash payments in support of this project. Accordingly, new agreements of local cooperation have been forwarded to DPW to coordinate their acceptance by the local assuring agencies. By letter dated 29 November 1976 we have received the necessary assurances from the DPW emboding all the agreements.

We have also received the required agreements, legal opinions and assurances from the Louisiana Department of Transportation, Office of Public Works and the Governor of Louisiana stating that the Office of Public Works is now the local sponsor in behalf of the St. Tammany Police Jury and that the Office of Public Works will lend financial assistance, when required, to the Pontchartrain Levee District. All of these agreements and assurances were approved by the Secretary of the Army in December 1977.

As of 1 January 1979, the State of Louisiana formed the Jefferson Levee District and assigned to it responsibility for Jefferson Parish levees on the east bank of the Mississippi River. These levees were previously the responsibility of the Pontchartrain Levee District. Revised assurances are being sought from the Pontchartrain Levee District to cover the St. Charles portion of the project and new assurances are being sought from the Jefferson Levee District for the Jefferson Parish segment of the project.

St. Charles and Mandeville: The St. Charles Parish Lakefront levee has been indefinitely deferred. The damages caused by construction of the levee may have more detrimental impact on the environment than can be justified by offsetting flood protection benefits. Work was deferred pending further environmental studies. Subsequently, Bayous Trepagnier and LaBranche were included in the Louisiana Natural and Scenic Rivers System. The narrower environmental studies were then expanded to include the entire lake. Further investigation of an Airline Highway (US Highway 61) alinement in St. Charles Parish is advisable and is being carried out. The strengthening and repair of the Mandeville Seawall has also been placed in an indefinitely deferred status. The Mandeville Unit portion of the project had previously been placed in an indefinite category due to local interests objections to the project. By virtue of a meeting on 6 July 1978 and a letter dated 8 August 1978, the mayor of Mandeville indicated interest in the seawall repairs. By letter dated 18 April 1979, local interests stated their intent to give assurances for the Mandeville Seawall subject to their approval of the proposed scope of work and the estimated cost. Consequently, the Mandeville Unit completion date has been established as September 1982.

EIS: The final EIS is on file at CEQ and notice of this fact was published in the Federal Register on Friday, 17 January 1975. A new EIS will be prepared based on the 30 December 1977 ruling of the US District Court.

404: A notice of the planned and alternate procedures for the disposal of dredged material was published on 29 November 1974 in accordance with the provisions of Section 404 of the Federal Water Pollution Control Act of 1972.

A public hearing on this matter was held in conjunction with a general information public meeting on the entire project on 22 February 1975. A public notice to this effect was published on 22 January 1975. A statement of findings (SOF) was prepared on both the general information and the 404 portions of the meeting. By letter dated 1 October 1975, EPA approved the disposal plans for the Chalmette, New Orleans East, and the Barrier Units subject to the condition that the St. Charles portion of the project be eliminated completely. By our letter dated 15 October 1975 to EPA we agreed to the condition proposed. We amplified our agreement by pointing out that we have previously recorded our position that no work be done to implement the St. Charles levee unless extensive additional studies indicate that the construction would be in the total public interest, and that we hold that construction of the St. Charles lakefront levee is foreclosed by the fact that certain streams in the area are included in the Louisiana Natural and Scenic Rivers System. We further stated that we cannot foresee construction of the levee unless and until the above impediments are removed and that any studies which might be conducted would include Section 404 proceedings of their own, so that the EPA would, in effect, retain continuing jurisdiction. EPA has clarified their position by stating that deauthorization of the levee is not essential to meeting their conditions. Furthermore, EPA stated that it was not their intent to require the elimination of hurricane protection studies in St. Charles Parish.

Construction Status: The overall status of the project is 18 percent complete based upon cost. Total completion is scheduled in the early to mid 1990's.

Public meeting--22 February 1975: Opposition to the project in general and specifically the barrier complexes seemed to be vocally centered in St. Tammany Parish. Spokesmen from the parish and other opposition speakers were in the vast majority of those presenting oral statements at the meeting. Strong support for the project was not realized in the written statements received for the record after the meeting.

Save Our Wetlands Suit. On 5 December 1975, Save Our Wetland, Inc. (SOWL) a local environmental group, filed suit to stop construction of parts of the project. Subsequently, SOWL was joined in the suit by Clio Sportmen's League, Mr. Raymond Mix (a local citizen), and the St. Tammany Parish Police Jury (St. Tammany Parish is located on the northeast shore of Lake Pontchartrain). The suit was tried in US District Court by Judge Charles Schwartz on 27, 28, and 29 December 1977.

On 30 December 1977 Judge Schwartz issued his decision whereby he enjoined further construction on certain portions of the project until the US Army Corps of Engineers revised the EIS (which had been filed with CEQ in January 1975) in accordance with paragraph 7a of AR 1105-2-507. The enjoined portions of the project were the Chalmette Area Plan, New Orleans East, and the Chef Menteur and Rigolets Barrier complexes. The court order did not enjoin the continued construction of other segments of the project.

On 13 January 1978 the Government and the Orleans Levee District (as co-defendant) moved to lift the injunction from the New Orleans East and Chalmette areas. In February, Governor Edwards called a meeting to discuss the State's position relative to the project. In addition to the Governor, the following offices were represented: Louisiana Office of Public Works, Orleans Levee District, St. Tammany Parish, St. Bernard Parish, Jefferson Parish, and the Corps of Engineers (New Orleans District). Basically, the following points came out of the meeting: (a) Governor Edwards reiterated the need for hurricane protection and his support for the project; (b) he expressed confidence in the expertise and integrity of the Corps of Engineers as the designer of the project; (c) he questioned the sincerity of St. Tammany Parish's environmental criticisms of the project; and (d) he questioned the expertise upon which St. Tammany bases its criticism of the design and effects of the barriers.

Hearings on the motion to modify were held on 8 and 22 March. As a result, the court issued three partial rulings dated 8, 10, and 27 March whereby the injunction was lifted on New Orleans East and Chalmette. The court further ruled that the Chalmette Area was not to be included in the revised EIS.

St. Charles Parish Suit. A group of individuals in St. Charles Parish filed suit on 12 April 1977 asking that the court direct the Corps to construct the St. Charles Parish portion of the project which has been deferred. At a 17 May 1978 hearing, Judge Charles Schwartz declared that the suit was premature and deferred further consideration until completion of the revised EIS.

Revised EIS. Briefly summarized, the major areas of deficiencies and concerns cited by the court with regard to supporting evidence for the authorized plan of protection are that the current EIS does not describe what the US Army Corps of Engineers actually proposed to build, that the alternatives to the barrier are not adequately described and evaluated, and that the impact of the project on the productivity of the surrounding wetlands and the impact of the barriers on the movement of aquatic organisms through the passes are not adequately addressed.

The New Orleans District has initiated an interdisciplinary approach for preparation of the new EIS to include environmental baseline data for the Lake Pontchartrain ecosystem as collected by the LSU Center for Wetland Resources; a study of the environmental impacts of the barrier structures by Dr. Eugene Cronin, a nationally renown marine biologist; new mathematical and physical models of the barriers and their impacts; an economic reanalysis of the project; and a comprehensive analysis of alternative plans. In addition the views of the Environmental Protection Agency, National Marine Fisheries Service, US Fish and Wildlife, and the Louisiana Department of Wildlife and Fisheries will be obtained regarding the adequacy of proposed studies.

The schedule proposed by the New Orleans District calls for submission of the revised EIS to EPA in December 1982.

Effects of Court Order. Design of the structural features of the Chef Menteur and Rigolets Complexes has been suspended pending the outcome of the alternative plan and environmental studies. Design and construction of all other project features is proceeding.

Congressional Hearing.

The House Committee on Public Works and Transportation, Subcommittee on Water Resources, conducted a hearing on the project in New Orleans on 5 January 1978. Announced purpose of the hearing was to obtain information on the barrier portion of the project and to give interested parties an opportunity to make their views known. The hearing was presided over by the Honorable Ray Roberts of Texas. Other committee members present were Representative Clausen of California, Representative Cochran of Mississippi, and Representatives Breaux and Livingston of Louisiana. Guests of the committee who were present for a portion of the hearing included Representatives Treen and Boggs of Louisiana.

Fifteen preselected witnesses testified. The committee notified the witnesses that additional questions may be directed toward them in written form at a future date.

It was speculated by witnesses and committee members that a recommendation to construct other than the authorized barrier plan of protection would require new time consuming Congressional authorization. The committee also noted apparent lack of vigorous support by the City of New Orleans for the authorized plan and advised City representatives that the Congress considers support from the local community to be vital.