



**US Army Corps
of Engineers®**

**DRAFT INDIVIDUAL ENVIRONMENTAL REPORT
SUPPLEMENT**

GOVERNMENT FURNISHED BORROW MATERIAL # 3

ORLEANS PARISH, LOUISIANA

IERS # 25.a



November 2011

TABLE OF CONTENTS

- 1. INTRODUCTION**
 - 1.1 Prior Reports**
 - 1.2 Purpose and Need for the Action**
- 2. ALTERNATIVES**
 - Stumpf Borrow Site Proposed in Final IER # 25**
 - Impacted Areas in and Adjacent to the Stumpf Site**
- 3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES**
 - 3.1 Environmental Setting**
 - 3.2 Significant Resources**
 - 3.2.1- Non-Jurisdictional Bottomland Hardwood Forest**
 - 3.2.2- Wildlife**
 - 3.3 Socioeconomic Resources**
 - 3.3.1- Business and Industry, Property Values, Employment, Income, Local Tax Base, Population and Housing, and Public Facilities and Services**
 - 3.4 Environmental Justice**
 - 3.5 Hazardous, Toxic, and Radioactive Waste**
- 4. CUMULATIVE EFFECTS**
- 5. SELECTION RATIONALE**
- 6. COORDINATION AND CONSULTATION**
 - 6.1 Public Involvement**
 - 6.2 Agency Coordination**
- 7. MITIGATION**
- 8. COMPLIANCE WITH FEDERAL LAWS AND REGULATIONS**
- 9. CONCLUSIONS**
 - 9.1 Interim Decision**
 - 9.2 Prepared By**

Appendices

- Appendix A: List of Acronyms and Common Terms**
- Appendix B: Public Concerns and Responses**
- Appendix C: Members of the Interagency Environmental Team**
- Appendix D: Interagency Coordination**
- Appendix E: CEMVN Borrow Area Index Map**

1. INTRODUCTION

The U.S. Army Corps of Engineers (USACE) Regional Planning and Environmental Division South (RPEDS), Upper Delta Environmental Compliance Section (UDECS), has prepared this supplement to the final Individual Environmental Report # 25 (IER # 25) to evaluate the impacts associated with the vegetative clearing and placement of excess recycled embankment material (REM) in and adjacent to the Stumpf borrow site in Orleans Parish, Louisiana (Figure 1). The Stumpf Borrow Site was described in the Final IER # 25 dated 3 February 2009 for use in the Hurricane and Storm Damage Risk Reduction System (HSDRRS). However, the work addressed in this supplement, Individual Environmental Report Supplement #25.a (IERS # 25.a), was conducted outside of the boundaries and purposes identified in the Final IER # 25. The IERS # 25.a is an “after-the-fact” action as the work discussed has already taken place and impacts have been incurred and compensatory mitigation has been completed.

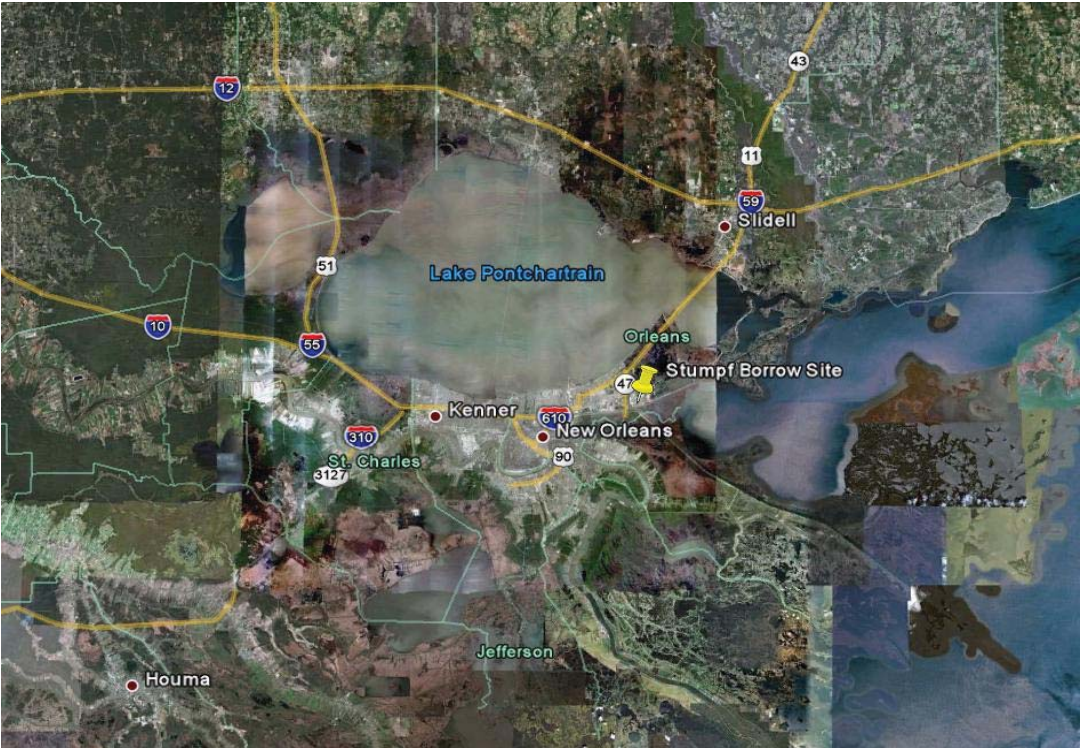


Figure 1. General vicinity map of the Stumpf site in Orleans Parish, Louisiana.

Four potential Government Furnished borrow areas were discussed by USACE in the Final IER # 25. The four borrow areas included the Stumpf site (Phase 1 and 2) in Orleans Parish, Louisiana, the Westbank D area in Jefferson Parish, Louisiana, the Westbank E site (Phase 1 and 2) in Jefferson Parish, Louisiana, and the Tac Carrere area in Plaquemines Parish, Louisiana. It was estimated that these borrow areas could provide approximately 9 million cubic yards of suitable material for levee and floodwall projects. It is estimated that approximately 75,000,000 cubic yards of suitable material are required to improve Federal and non-Federal levee and floodwall projects, as part of the HSDRRS Project.

This IERS # 25.a has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality's Regulations (40 CFR §1500-1508), as reflected in the USACE Engineering Regulation, ER 200-2-2. 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 Council on Environmental Quality (CEQ) NEPA Implementation Regulations (40 CFR §1506.11). The Alternative Arrangements can be found at www.nolaenvironmental.gov, and are herein incorporated by reference.

The USACE implemented Alternative Arrangements on 13 March 2007, under the provisions of the Council on Environmental Quality Regulations for Implementing the NEPA (40 CFR §1506.11). This process was implemented in order to expeditiously complete environmental analysis for any changes to the authorized HSDRRS, formerly known as the Hurricane Protection System (HPS) authorized and funded by Congress and the Administration. The 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 in 2005.

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, and are herein incorporated by reference. Pertinent studies, reports and projects not previously described in IER #25 are discussed below:

Lake Pontchartrain and Vicinity Hurricane Protection Project

- On 6 July 2011, the CEMVN Commander signed a Decision Record on Individual Environmental Report Supplemental (IERS) #1b entitled "La Branch Wetlands Levee, LPV 04.2B Access Road and ditch Relocation, St. Charles Parish, Louisiana." The document evaluates the potential effects associated with constructing the actions approved in IER #11 Borgne, with the exception of the expanded size of the access channel due to erosion of the bankline.
- On 3 March 2011, the CEMVN Commander signed a Decision Record on Individual Environmental Report Supplemental (IERS) #11.c entitled "Improved Protection on the Inner Harbor Navigation Canal, Orleans and St. Bernard Parishes, Louisiana." The document evaluates the potential effects associated with relocating portions of Fox Lane access road and the adjacent drainage ditch 10-15 feet to the west of its current location.
- On 29 November 2010, the CEMVN Commander signed a Decision Record on Individual Environmental Report Supplemental (IERS) #11.b entitled "Improved Protection on the Inner Harbor Navigation Canal, Orleans and St. Bernard Parishes, Louisiana." The document evaluates the potential effects associated with restoring and reinforcing 4.6 miles of levees and floodwalls along the Inner Harbor Navigation Canal (IHNC) to meet current HSDRRS design guidelines for seepage and stability.
- On 10 October 2011, the CEMVN Commander signed a Decision Record on Individual Environmental Report Supplemental (IER) #27 entitled "Outfall Canal Remediation on the 17th Street, Orleans Avenue and London Avenue Canals, Jefferson and Orleans Parish, Louisiana." The document evaluates the potential effects associated with remediation of

floodwalls along the three outfall canals (17th Street, Orleans Avenue, and London Avenue) in Jefferson and Orleans Parish, Louisiana.

- On 3 May 2010, the CEMVN Commander signed a Decision Record on Individual Environmental Report Supplemental (IERS) #7 entitled “Lake Pontchartrain and Vicinity, New Orleans East Lakefront to Michoud Canal, Orleans Parish, Louisiana.” The document evaluates the potential effects associated with proposed project revisions to the original IER #7, including constructing a temporary bridge across Interstate 10 (I-10), expansion of construction easements for highway tie-ins on LPV 109 for I-10 and Highway 90, expansion of right of way (ROW) on LPV 111 and barge access locations, construction of a T-wall and raising/relocating USFWS pump stations.
- On 8 February 2010, the CEMVN Commander signed a Decision Record on IER #9 entitled “Lake Pontchartrain and Vicinity, Caernarvon Floodwall, St. Bernard Parish, Louisiana.” The document evaluates the potential effects associated with the replacement of two floodgates, approximately 1,500 feet (ft) of floodwall, and a levee tie-in at the southwestern terminus of the Chalmette Loop Levee.
- On 8 February 2010, the CEMVN Commander signed a Decision Record on IERS #6 entitled “Lake Pontchartrain and Vicinity, East Citrus Lakefront Levee, Orleans Parish, Louisiana.” The document evaluates the potential effects associated with the proposed project modifications to the original IER #6, including construction of new I-walls and a T-wall.
- On 18 December 2009, the CEMVN Commander signed a Decision Record on IERS #3.a entitled “Lake Pontchartrain and Vicinity, Jefferson East Bank, Jefferson Parish, Louisiana.” The document evaluates the potential effects associated with the proposed project revisions within the IER #3 project area such as the construction of wave attenuation berms and foreshore along the Jefferson Parish lakefront and a T-wall, overpass bridge, and traffic detour lane bridge spans at the Lake Pontchartrain Causeway Bridge abutment.
- On 3 February 2009, the CEMVN Commander signed a Decision Record on IER #25 entitled “Government Furnished Borrow Material # 3, Orleans, Jefferson, and Plaquemines Parishes, Louisiana.” The document evaluates the potential effects associated with four potential borrow areas to be used under the Government Furnished borrow material program to supply levee building material to the CEMVN projects in the New Orleans Metropolitan Area.

1.2 PURPOSE AND NEED FOR THE ACTION TAKEN

The purpose of the unauthorized action was to place material that was produced in excess of what could be incorporated into the Lake Pontchartrain Vicinity (LPV) levee reach 111. The excess material, known as REM, was stockpiled on a 22.41-acre site which had not been considered for this purpose under the NEPA process. Impacts to the 22.41 acres associated with this action have occurred.

The completed HSDRRS would lower the risk of harm to citizens and damage to infrastructure during a storm event. The safety of people in the region is the highest priority of the CEMVN. The action taken resulted from the need to provide a total of over 31 million cubic yards of suitable clay for HSDRRS projects that include the completion and improvement of hurricane protection levees in southeastern Louisiana. Raising levee elevations and the completion of

levees requires the excavation of material from borrow areas necessary for project construction to ensure authorized levels of flood protection for local communities.

2. DESCRIPTION OF ALTERNATIVES

Two alternatives are analyzed after the fact, the No Action alternative and the action-taken alternative.

No Action Alternative: Stumpf Borrow Site described in Final IER # 25

For the purposes of NEPA, the no-action alternative serves as the baseline against which impacts and benefits of the action alternatives are evaluated. However, the actions have already occurred and have incurred impacts. Therefore, the 7.93-acre area inside the Stumpf Site boundaries is being compared to the actions authorized in the Final IER # 25, although there is no guarantee that the authorized actions would have been completed. For the 14.48-acre area outside of the Stumpf Site boundaries indicated in the Final IER # 25, no action was authorized to take place; therefore, the vegetated area adjacent to Phase 1 would have remained a BLH area consisting mostly of the invasive Chinese Tallow. However, since the impacts have already occurred to this area the only potential solution to returning this site to previous conditions would be to conduct on-site restitution.

In Final IER # 25, boundaries for the Stumpf Site were set as seen in Figure 2 below. The Stumpf site is comprised of two areas (Phases 1 and 2) that are located on Industrial Parkway in Orleans Parish. The size of the Phase 1 borrow area is 300 acres with two 3-acre access corridors. The Phase 2 borrow area is 515 acres with a 2-acre and .9-acre access corridor. The actions authorized in the Final IER # 25 consisted of the vegetative clearing and excavation of suitable borrow material from the approved areas for delivery to the LPV 109 and 111 sites to aid in the HSDRRS project.

Action Taken: Impacted Areas In and Adjacent to the Stumpf Site

The “after the fact” action is the placement of 105,000 cubic yards of recycled embankment material (REM) on a 7.93-acre portion of the Stumpf phase I area cleared in Final IER 25 and approximately 14.48 acres adjacent to the Stumpf Phase I site which had not been considered for this purpose under the NEPA process. Of the 22.41 acres utilized for the stockpiling of REM, 7.93 acres had been previously authorized under IER # 25 for the purposes of vegetative clearing and the excavation of suitable borrow material to be used in LPV levee reach 109 and LPV levee reach 111 sites (Figure 3).

Typically, the excess material would be hauled off-site to an authorized disposal area. However, due to budget and schedule constraints, the excess REM was stockpiled on this site and utilized for construction of access haul roads within the site. Construction of access haul roads was necessary due to the moist conditions in the stockpile area resulting from rainfall and the moisture content of the clay material being delivered. Once all of the excess REM was delivered from the LPV levee reach 111, the stockpiled REM was used as fill material to return the impacted site to its previous grade of approximately +1 to +3 above natural ground.



Figure 2. The approved boundaries of the Stumpf borrow site are labeled and marked. The Stumpf Site is located in Orleans Parish, Louisiana.

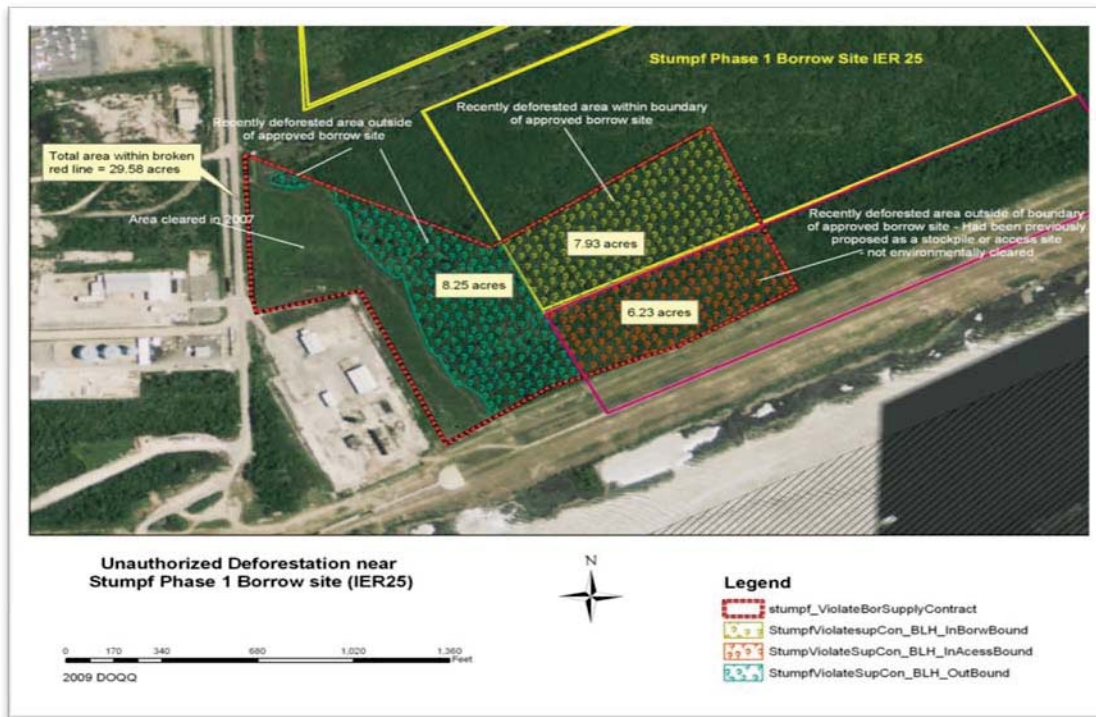


Figure 3. Unauthorized deforestation and stockpile of REM adjacent to and inside the Stumpf Borrow Site in Orleans Parish, Louisiana includes 14.48 acres shaded in red and green. The 7.93-acre area shaded in yellow was included in the Final IER # 25 for borrow excavation; however, it was not investigated for the purpose of the placement of REM.

REM is a term used for the return of excess soil cement to the ground surface during soil cement column installation. REM can be used for engineering applications such as road construction or levee fill. In the process of constructing soil cement columns through Deep Mixing Methods (DMM), Portland Type I/II cement and water are mixed into a slurry and injected into the soil using a multi-blade auger. The blades of the auger thoroughly mix the cement and soil to form a column having high strength and low permeability. Civil engineering applications include ground improvement for seepage cutoff walls, settlement reduction, axial load support, and embankment stability reinforcement, which was the application of DMM for LPV 111. Environmental engineering applications include stabilizing and fixing soil and groundwater contaminants to prevent leaching and cutoff walls to encapsulate landfills and superfund sites.

3. AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 ENVIRONMENTAL SETTING

The Final IER # 25 contains a complete discussion of the Environmental Setting for the general project area (including the area adjacent to Phase 1) 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 unauthorized actions at Stumpf, 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 the alternatives analyzed in this IERS.

Table 1: Significant Resources in Project Study Area

Significant Resource	Impacted	Not Impacted
Jurisdictional Wetlands		X*
Non-Jurisdictional Bottomland Hardwood Forest	X	
Prime and Unique Farmland		X*
Wildlife	X	
Threatened and Endangered Species		X*
Cultural Resources		X*

Recreational Resources		X*
Noise		X*
Air Quality		X*
Water Quality		X*
Aesthetics		X*
Socioeconomics		X*
Transportation		X*

* The action taken poses no additional impacts above those described in IER # 25 Government Furnished Borrow Material # 3; therefore these significant resources are not discussed in this document.

3.2.1 Non-Jurisdictional Bottomland Hardwood Forest

Existing Conditions

The project area is comprised of non-jurisdictional Bottomland Hardwood Forest (BLH) forests which are typically comprised of dominant species such as hackberry, pecan, American elm, live oak, water oak, green ash, bald cypress, black willow, box elder, and red maple. Some understory species include dewberry, elderberry, ragweed, Virginia creeper, and poison ivy. However, the BLH in the Stumpf site and the adjacent area has been invaded by Chinese Tallow trees. A variety of birds utilize these hardwoods for nesting, breeding, brooding, and as perches. Hard mast (nuts) and soft mast (samaras, berries) provide a valuable nutritional food source for birds, mammals, and other wildlife species. Non-jurisdictional BLH forests lack one or more of the following criteria to be considered a Clean Water Act Section 404 jurisdictional wetland: hydrophytic vegetation, hydric soils, and/or wetland hydrology (USACE 1987). Manmade ditches, canals, and pumping stations are present at the Stumpf Phase 1 and 2 areas as they were historically wetlands. The area was later leveed, and a pumping station was added for drainage management. The sites converted to a scrub/shrub habitat over run with invasive Chinese tallow trees. The Stumpf Phase 1 area includes 300 acres of forested area, comprised mostly of 1-2 inch diameter at breast height (dbh) Chinese tallow trees. The Stumpf Phase 2 area includes 515 acres of forested area, comprised mostly of 1-2 inch dbh Chinese tallow trees. The impacted area adjacent to the west and south of the Stumpf Phase I area includes 14.48 acres of forested area comprised of 1-2 inch dbh Chinese tallow trees.

Discussion of Impacts

No Action

Direct, Indirect and Cumulative Impacts

Any impacts to the Stumpf site associated with the previously approved proposed action discussed in the Final IER # 25 are incorporated by reference into this document. These impacts included the possibility of vegetative clearing and excavation of suitable borrow material to be used in LPV levee reach 109 and LPV levee reach 111 sites (Figure 3). Impacts from the vegetative clearing and possible excavation include removal of the mostly 1-2 inch dbh Chinese tallow trees utilizing bulldozers and excavators. The area would be converted to ponds and small lakes if water is retained from the possible excavation, or by vegetation and woody plants if water is not retained. Invasion of Chinese tallow trees would be likely. All berms would be leveled to eliminate hydrologic impacts.

The No Action Alternative would have resulted in the 14.48-acre vegetated area adjacent to Phase 1 remaining a BLH area consisting mostly of the invasive Chinese tallow tree. However, since the impacts have already occurred to this area the only potential solution to returning this site to previous conditions would be to conduct on-site restitution.

Action Taken

Direct, Indirect and Cumulative Impacts

Impacts to Non-Jurisdictional Bottomland Hardwood Forest, totaling 22.41 acres, were incurred as a result of the unauthorized actions at the Stumpf Phase 1 area and the adjacent area to the west and south of the Phase 1 area (Figure 4). These impacts include the vegetative clearing and placement of REM on non-jurisdictional bottomland hardwood forest that had not been previously cleared under the NEPA process for this purpose. Of the 22.41 acres utilized for the stockpiling of REM, 7.93 acres had been authorized under IER # 25 for the purposes of the vegetative clearing and the excavation of suitable borrow material to be used in the LPV 109 and LPV 111 levee sections. Re-colonization of vegetation and woody plants would no longer occur within these areas due to the REM.



Figure 4. Aerial photograph showing vegetative clearing and placement of REM (outlined in red) on 22.41 acres of BLH in and around Stumpf Borrow Site as of 6 July 2011.

3.2.2 Wildlife

Existing Conditions

The project area contains a variety of mammals, birds, reptiles, and amphibians. Species inhabiting the area may include nutria, muskrat, raccoon, white-tailed deer, skunks, rabbits,

squirrels, armadillos, and a variety of smaller mammals. Wood ducks and some migratory waterfowl may be present during winter.

Non-game wading birds, shore birds, and sea birds including egrets, ibis, herons, sandpipers, willets, black-necked stilts, gulls, terns, skimmers, grebes, loons, cormorants, and white and brown pelicans may also be found in the project vicinity. Various raptors such as barred owls, red-shouldered hawks, northern harriers (marsh hawks), American kestrel, and red-tailed hawks may be present. Passerine birds in the areas include sparrows, vireos, warblers, mockingbirds, grackles, red-winged blackbirds, wrens, blue jays, cardinals, and crows. Many of these birds are present primarily during periods of spring and fall migrations. The areas may also provide habitat for salamanders, toads, frogs, turtles, and several species of poisonous and nonpoisonous snakes. The area currently provides suitable breeding habitat for various species of mosquitoes.

The bald eagle is a raptor that is found in various areas throughout the United States and Canada as well as throughout the study area. Bald eagles are Federally protected under the Bald Eagle Protection Act of 1940. The bald eagle feeds on fish, rabbits, waterfowl, seabirds, and carrion (Ehrlich et al. 1988). The main basis of the bald eagle diet is fish, but they will feed on other items such as birds and carrion depending upon availability of the various foods. Eagles require roosting and nesting habitat, which in Louisiana consists of large trees in fairly open stands (Anthony et al. 1982). Bald eagles nest in Louisiana from October through mid-May. Eagles typically nest in bald cypress trees near fresh to intermediate marshes or open water in the southeastern parishes. No bald eagle nests have been observed in the project area.

Discussion of Impacts

No Action

Direct, Indirect and Cumulative Impacts

Any impacts to the Stumpf site associated with the approved proposed action discussed in the Final IER # 25 are incorporated by reference into this document. These impacts include the possibility of habitat reduction due to the vegetative clearing and possible excavation of suitable borrow material to be used in LPV levee reach 109 and LPV levee reach 111 sites (Figure 3). The area would be converted to ponds and small lakes if water is retained from the possible excavation, or by vegetation and woody plants if water is not retained. It is expected that either type of area would attract a variety of wildlife including birds, reptiles, amphibians, and small mammals. To date, vegetative clearing of the mostly 1-2 inch dbh Chinese tallow trees has been conducted, but no excavation within this area for borrow material has been conducted.

The No Action Alternative would result in the 14.48-acre vegetated area adjacent to Phase 1 remaining a BLH area consisting mostly of the invasive Chinese tallow tree. However, since the impacts have already occurred to this area the only potential solution to returning this site to previous conditions would be to conduct on-site restitution.

Action Taken

Direct, Indirect and Cumulative Impacts

Direct impacts from the permanent displacement of wildlife occurred when unauthorized clearing of a portion of the Stumpf Phase I site and the area adjacent to the Phase 1 site were used for the purpose of stockpiling and permanent placement of REM across the site to a maximum +3-foot base elevation. Re-colonization of vegetation and woody plants (likely

Chinese tallow trees) would no longer occur within these areas due to the REM; thus, the associated wildlife would be permanently displaced.

Wildlife resources in the New Orleans Metropolitan Area are experiencing a cumulative loss due to a number of activities (e.g., residential and commercial development, wetland loss, borrow excavation, highway construction). Vegetative clearing and the stockpile of REM in the unauthorized borrow area contributed to this loss. Compensatory mitigation is discussed in Section 7 of this document.

3.3 SOCIOECONOMIC RESOURCES

The focus of this section is to evaluate the relative socioeconomic impacts of construction activities associated with the placement of REM from the previously described areas in the vicinity of the New Orleans Metropolitan Area.

The Final IER # 25 contains a discussion of the socioeconomic resources for the project area and is incorporated by reference into this document. Only those socioeconomic resources which were affected by the placement of REM will be discussed in this supplement.

3.3.1 Business and Industry, Property Values, Employment, Income, Local Tax Base, Population and Housing, and Public Facilities and Services

Existing Conditions

As discussed in final IER # 25, the specified median value of homes averaged approximately \$87,300 in Orleans Parish; no housing is present on or near the impacted area. Located in Orleans Parish within the New Orleans Metropolitan Area and within non-wetland areas, the proposed borrow areas have more property value than large tracts of adjacent wetlands. The areas indirectly, if not directly, contribute to the local tax base. There are some industrial structures on the Stumpf sites that were avoided during construction. These include a pumping station; an oil and gas pipeline, and are connected to an oil and gas facility. Additionally, there is a private industrial or commercial business on the site whose property includes a storage yard.

Discussion of Impacts

No Action

Under the No Action Alternative, the Government's approved action as discussed in IER # 25 would have been constructed. Consequently, direct, indirect, and cumulative impacts to population and housing would not differ from those previously described in IER #25.

Action Taken

Since the Stumpf Borrow area does have some existing industrial structures outside of any areas of impact, more industrial development may occur in the areas which have been cleared of all vegetation and covered with REM. The properties of REM, however, have not been investigated for the purposes of building any type of development. Therefore, the future use and conditions of the site are not clear. No impacts to population or housing are expected in the area as it is already partially developed for industrial purposes.

3.4 ENVIRONMENTAL JUSTICE

The Final IER # 25 contains a complete discussion of the impacts to environmental justice for the project area and is incorporated by reference into this document. As such, no discussion of environmental justice will be made in this document.

3.5 HAZARDOUS, TOXIC, AND RADIOACTIVE WASTE

USACE is obligated under Engineer Regulation 1165-2-132 to assume responsibility for the reasonable identification and evaluation of all Hazardous, Toxic, and Radioactive Waste (HTRW) contamination within the vicinity of the unauthorized action. ER 1165-2-132 identifies the CEMVN HTRW policy to avoid the use of project funds for HTRW removal and remediation activities. Costs for necessary special handling or remediation of wastes (e.g., Resource Conservation and Recovery Act [RCRA] regulated), pollutants and other contaminants, which are not regulated under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), will be treated as project costs if the requirement is the result of a validly promulgated Federal, State or local regulation.

An ASTM E 1527-05 Phase I ESA was completed for each proposed borrow area in IER # 25. The Phase I ESA documented the Recognized Environmental Conditions (REC) for the proposed project areas.

A copy of the Phase I ESA referenced below will be maintained on file at the CEMVN office, and is incorporated herein by reference. Copies of these reports are available by requesting them from the CEMVN, or accessing them at www.nolaenvironmental.gov.

HTRW Land Use Histories and Phase I HTRW ESAs have been completed for the proposed borrow areas:

- The Phase I ESA for Stumpf Phase 1 (incorporated herein by reference) was completed on 01 May 2008. The investigation revealed no Recognized Environmental Conditions (REC) and one historical REC.
- In May 2011, an update memorandum for the Stumpf site was produced by CEMVN in regards to HTRW. The site was visually inspected for the presence of pipes, containers, tanks or drums, ponds or lagoons, car bodies, tires, refrigerators, trash dumps, electrical equipment, oil drilling equipment, gas or oil wells, water sheens, discoloration of soils or vegetation, stressed soils with lack of vegetation, out-of-place dirt mounds or depressions in the landscape, evidence of fire, animal remains, unusual animal behavior, biota indicative of a disturbed environment, and odors indicative of poor water quality or chemical presence. None of these signs were observed. No Recognized Environmental Conditions (RECs) that would affect project personnel or the public were found. No further investigation of HTRW is recommended.

4. CUMULATIVE IMPACTS

NEPA requires a Federal agency to consider not only the direct and indirect impacts of a proposed action, but also the cumulative impacts of the action. A cumulative impact is defined as the “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency

(Federal or non-Federal) or person undertakes such other actions (40 CFR § 1508.7).” Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. These actions include projects conducted by government agencies, businesses, or individuals that are within the spatial and temporal boundaries of the actions that are considered in this IERS.

In addition to this IERS, the CEMVN is preparing a draft Comprehensive Environmental Document (CED) that will describe all HSDRRS work completed and the work remaining to be constructed, including borrow sources for the system. The purpose of the draft CED will be to document the work completed by the USACE on a system-wide scale. The draft CED will describe the integration of individual IERs into a systematic planning effort. Additionally, the draft CED will contain updated information for any IER that had incomplete or unavailable data at the time it was posted for public review. Overall cumulative impacts and future operations and maintenance requirements will also be included.

The discussion provided below describes an overview of Federal and non-Federal actions, projects, and occurrences that may contribute to the cumulative impacts previously discussed as it relates to matters of borrow source excavation. Projects that occur within the greater New Orleans area and southeastern Louisiana were considered collectively (as appropriate) for the evaluation of cumulative impacts. For a more in-depth discussion of cumulative impacts from structural HSDRRS projects (i.e., levee, floodwall, and pumping stations) please refer to IERs #1 through #17, and the CED.

Cumulative Impacts due to HSDRRS Projects

Borrow material has been obtained in the past by the CEMVN for HSDRRS and other projects in southeastern Louisiana and southwestern Mississippi. The CEMVN has been working at an accelerated schedule to rehabilitate and complete the HSDRRS system after Hurricanes Katrina and Rita, and has a goal of building the system to authorized levels. Over 31 million cubic yards of borrow material is estimated to be needed to complete authorized levels of protection for the HSDRRS and NOV projects. Borrow material will also be needed to perform levee lifts and maintenance for at least 50 years after construction is completed. The CEMVN is in the process of implementing construction projects to raise the hurricane protection levees associated with the LPV, WBV, and New Orleans to Venice (NOV) projects to authorized elevations. This includes modifications to risk reduction projects covered in IERs #1 through #17. Levee and floodwall improvements throughout the area would require substantial amounts of borrow material, and some of the borrow areas needed have been identified in this document to provide adequate material in proximity to proposed risk reduction projects. Other potential borrow areas were identified and approved for use in IER #18, IER #19, IER #22, IER #23, #25, IER #26, IER #28, IER #29, IER #30, IER #31 and IER #32. Depending on time, cost, and other factors, these and other potential borrow sources not yet identified may or may not be used for HSDRRS construction.

To date, there are over 60 borrow sites approved for construction of the HSDRRS in southeastern Louisiana and southwestern Mississippi (Figure 5). HSDRRS borrow activity would cumulatively impact the significant resources discussed in this IER in the project area. Currently

unidentified borrow sources may also incrementally impact the significant resources discussed in this IERS in the project area.

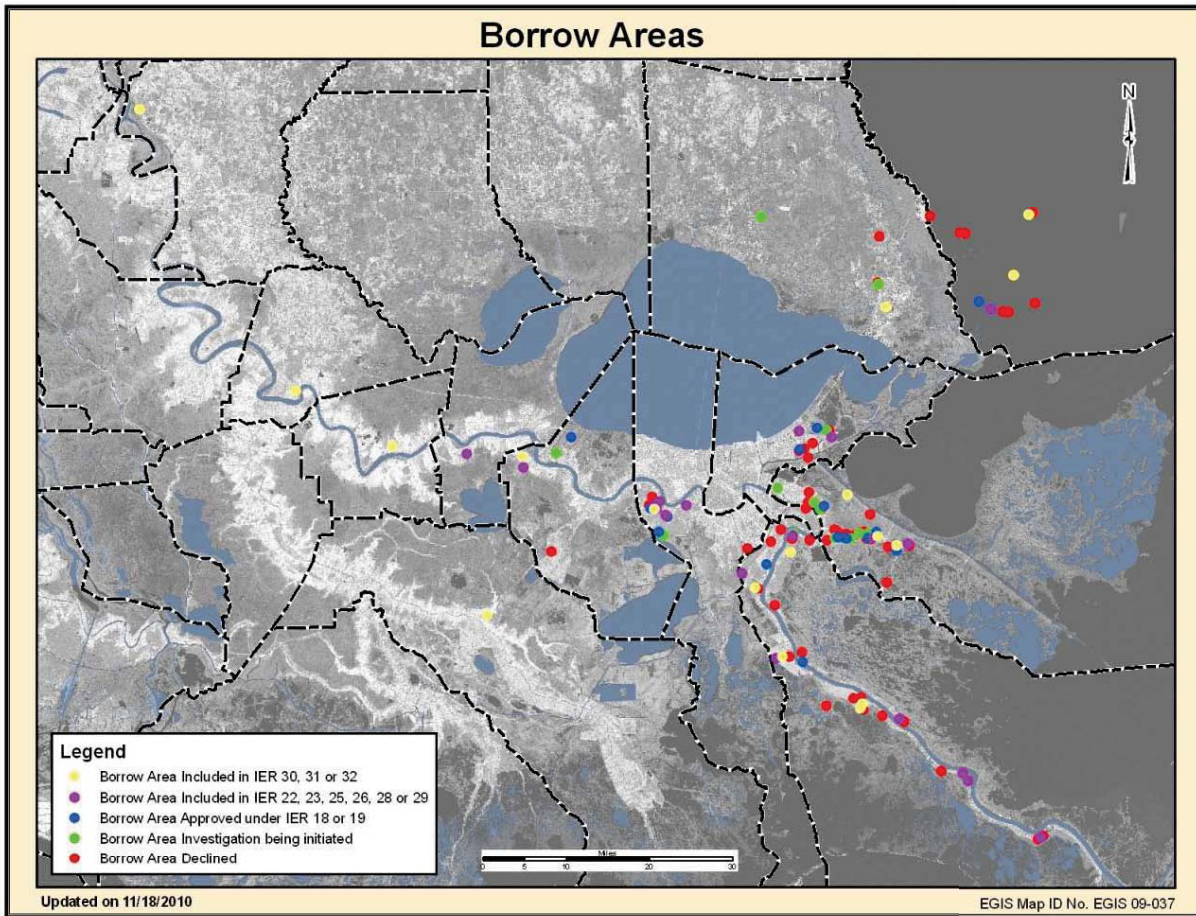


Figure 5. Potential HSDRRS Borrow Sources in the project area.

Summary of Cumulative Impacts

Various Federal, state, and local ongoing and proposed actions may increase the need for borrow excavation in the study area. The potential borrow areas approved for use in IER #18, IER #19, IER #22, IER #23, #25, IER #26, IER #28, IER #29, IER #30, IER #31 and IER #32, and proposed for use in this IER could cumulatively impact land use patterns and transportation resources in the project area. Use of these proposed borrow areas should not cumulatively impact jurisdictional wetlands, cultural resources, or T&E species and their critical habitat, as the CEMVN is currently avoiding impacts to these resources. The extent of potential cumulative impacts to other resources due to HSDRRS construction are not known at this time, and may be discussed in the CED.

The extent of land directly and indirectly affected by previous development activities, in combination with the excavation and use of the proposed borrow material for HSDRRS construction, would contribute cumulatively to land alteration and loss in the project area. Most of the proposed borrow areas described in IER #18, IER #19, IER #22, IER #23,

#25, IER #26, IER #28, IER #29, IER #30, IER #31 and IER #32 are upland areas. Over 4,000 acres of non-jurisdictional BLH (including habitat described in IER #35), which provides habitat for a variety of wildlife, may be destroyed due to HSDRRS borrow activities.

After borrow area excavation, land may be converted to ponds and small lakes if not backfilled by the landowner. The landowner may be required to backfill per local ordinances in some areas. If the sites are not backfilled, the excavated sites would be unsuitable for farming, forestry, or urban development in the reasonably foreseeable future. Habitat would be changed to favor aquatic and semi-aquatic plant and animal species over the terrestrial ones that now occupy the areas. Borrow areas that do not retain water would be colonized by herbaceous vegetation and woody terrestrial plant species, which would favor terrestrial animal species. This would attract the same species that are currently found in the areas.

Based on historical human activities and land use trends in the project area, it is reasonable to anticipate that future activities would further contribute to cumulative degradation of land resources. It is anticipated that through the efforts taken to avoid and minimize effects on the project area and the mandatory implementation of a mitigation plan that functionally compensates unavoidable remaining impacts, the proposed contractor-furnished borrow areas would not result in substantial direct, secondary or cumulative adverse impact on the environment. The mitigation plan is discussed in Section 7.

Quantitative cumulative impacts to recreational resources, noise quality, air quality, water quality, and aesthetic resources are not fully known at this time, and will be discussed in the CED. Details on cumulative Environmental Justice (EJ) impacts will be analyzed at the conclusion of EJ small-group meetings and will be included in the CED.

5. SELECTION RATIONALE

The action consisted of placing REM on the Stumpf borrow area in the New Orleans Metropolitan Area; however, no impact to cultural resources or T&E species occurred. This report investigated the impacts of this action on the following resources: jurisdictional wetlands, BLH, wildlife, recreational resources, aesthetics, noise, air quality, prime and unique farmland, water quality, transportation, socioeconomics, and environmental justice.

6. COORDINATION AND CONSULTATION

6.1 PUBLIC INVOLVEMENT

The HSDRRS projects were publicly disclosed and described in the Federal Register on 13 March 2007 and on the website www.nolaenvironmental.gov. Scoping for HSDRRS projects was initiated on 12 March 2007, through placing advertisements and public notices in *USA Today* and *The New Orleans Times-Picayune*. Nine public scoping meetings were held throughout the New Orleans Metropolitan Area to explain the scope and process of the Alternative Arrangements for implementing NEPA between 27 March and 12 April 2007, after which a 30-day scoping period was open for public comment submission. Additionally, the CEMVN is hosting monthly public meetings to keep the stakeholders advised of project status. This IERS # 25 will be open for public comment for 30 days, from November 28, 2011 to December 28, 2011; [Public](#) input would be provided in an appendix.

Public meetings related to borrow started in July 2007, and will be continuing until the borrow quantities needed are fulfilled.

6.2 AGENCY COORDINATION

Preparation of this IERS has been coordinated with appropriate Congressional, Federal, state, and local interests, as well as environmental groups and other interested parties. Monthly meetings with resource agencies were also held concerning this and other proposed IER projects. The following agencies, as well as other interested parties, received copies of the draft IER:

- U.S. Department of the Interior, Fish and Wildlife Service
- U.S. Department of the Interior, National Park Service
- U.S. Environmental Protection Agency, Region VI
- U.S. Department of Commerce, National Marine Fisheries Service
- U.S. Natural Resources Conservation Service
- Louisiana Advisory Council on Historic Preservation
- Governor's Executive Assistant for Coastal Activities
- Louisiana Department of Natural Resources, Coastal Management Division (LDNR)
- Louisiana Department of Natural Resources, Coastal Restoration Division
- Louisiana Department of Wildlife and Fisheries
- Louisiana Department of Environmental Quality
- Louisiana State Historic Preservation Officer

7. MITIGATION

The area described in this IERS was assessed by the USFWS and the CEMVN under NEPA, the Fish and Wildlife Coordination Act, and under Section 906 (b) WRDA 1986 requirements. It has been determined that the unauthorized action impacted 22.41 acres of non-jurisdictional BLH or 6.19 average annual habitat units (AAHU's). Compensatory mitigation for these impacts was completed by purchasing 12.2 acres of BLH from Paradis Mitigation Bank, located in St. Charles Parish, Louisiana, on 20 September 2011. These acreages were determined by USFWS with the information used to determine the amount of AAHU's that is necessary to compensate for unavoidable impacts within the original boundaries of the Stumpf Phase 1 Borrow site in IER #25.

8. COMPLIANCE WITH ENVIRONMENTAL LAWS AND REGULATIONS

Environmental compliance for the unauthorized action would be achieved upon coordination of this IERS with appropriate agencies, organizations, and individuals for their review and comments. USFWS confirmed in April 2008 that the actions proposed in IER # 25 were not likely to adversely affect any federally listed T&E species or their critical habitat fulfilling obligations of Section 7 of the Endangered Species Act. Since that time, it has been determined by USACE that this confirmation continues to be valid for the unauthorized actions that occurred at the Stumpf borrow site.

Louisiana Department of Natural Resources modified the Louisiana Coastal Resource Program (LCRP) Permit # C20080076 to include the unauthorized area with the determination that the action is consistent, to the maximum extent practicable, with the LCRP. Coordination with the SHPO occurred in June 2008 and included the area where the unauthorized action took place. No further cultural resources coordination is required.

Preparer	Agency	Topic
Pam Breaux	State Historic Preservation Office	Cultural Resources
David Castellanos	USFWS	Threatened and Endangered Species/Wildlife Coordination
Jeff Harris	LDNR	LCRP Permit

9. CONCLUSIONS

9.1 INTERIM DECISION

The unauthorized action consisted of the vegetative clearing and placement of REM in areas that were not environmentally cleared for those purposes in IER #25. The area is located in non-jurisdictional BLH forest that would have no significant effect on cultural resources or threatened and endangered species or their critical habitat. This office has assessed the environmental impacts of the unauthorized action upon jurisdictional wetlands, non-jurisdictional bottomland hardwood forest, wildlife, recreational resources, aesthetics, noise, air quality, prime and unique farmland, water quality, environmental and socioeconomic resources.

9.2 PREPARED BY

IERS # 25.a was prepared by Andrea Carpenter, Regional Planning and Environmental Division South, Upper Delta Environmental Compliance Section. The address of the preparers is: U.S. Army Corps of Engineers, Memphis District; Environmental Compliance Rm. B-202, 167 North Main St., Memphis, TN 38103.

Andrea Carpenter	Fish and Wildlife Biologist	NEPA compliance, document preparation
Mike Thron	Fish and Wildlife Biologist	NEPA compliance, document preparation
Thomas Keevin, Ph.D.	Chief, Environmental Compliance Branch, St. Louis District, USACE	Agency technical review
Paul Hughbanks, Ph.D.	Archaeologist	Cultural Resources
Sandra Stiles	Chief, Coastal Environmental Planning Section	Internal technical review
Danielle Tommaso	Environmental Manager	NEPA compliance, document preparation
Laura Lee Wilkinson	Biologist	NEPA compliance, document preparation
Christopher Brown, Ph.D.	Botanist	HTRW
Robert Learned	Economist	Socioeconomic Resources, Environmental Justice

APPENDIX A: LIST OF ACRONYMS AND DEFINITIONS OF COMMON TERMS

APE: Areas of potential effect
ASTM: American Society of Testing and Materials
BLH: Bottomland Hardwood (Forest)
BMP: Best Management Practices
CAR: Coordination Act Report
CED: Comprehensive Environmental Document
CERCLA: Comprehensive Environmental Response, Compensation, and Liability Act
CEQ: Council on Environmental Quality
Clay Classifications
 CH: Fat clay
 CL: lean clay
 ML: Silt
CO: Carbon monoxide
EA: Environmental Assessment
EIS: Environmental Impact Statement
ESA: Environmental Site Assessment
ESRI: Environmental Systems Research Institute
FONSI: Finding of No Significant Impact
HSDRRS: Hurricane and Storm Damage Reduction System (aka, Hurricane Protection System)
HPS: See HSDRRS
HTRW: Hazardous, Toxic, and Radioactive Waste
IER: Individual Environmental Report
IHNC: Inner Harbor Navigation Canal
IPET: Interagency Performance Evaluation Team
LCRP: Louisiana Coastal Resource Program
LDEQ: Louisiana Department of Environmental Quality
LDNR: Louisiana Department of Natural Resources
LDWF: Louisiana Department of Wildlife and Fisheries
LOS: Level of service
LPV: Lake Pontchartrain and Vicinity Hurricane Protection Project
MSA: Metropolitan Statistical Area
NAAQS: National Ambient Air Quality Standards
NEPA: National Environmental Policy Act
NO_x: Nitrogen oxides
NOV: New Orleans to Venice Hurricane Protection Project
NPDES: National Pollutant Discharge Elimination System
O₃: ozone
PDT: Project Delivery Team
PI: Plasticity index
PL: Public Law
PM: Particulate matter
P.L.: Public law
RCRA: Resource Conservation and Recovery Act
REC: Recognized environmental condition
ROD: Record of Decision
Section 404 (of the Clean Water Act): The Section 404 program for the evaluation of permits for the discharge of dredged or fill material was originally enacted as part of the Federal Water Pollution Amendments of 1972. The Secretary of Army acting through the Chief

of Engineers may issue permits, after notice and opportunity for public hearings for the discharge of dredged or fill material into the navigable waters at specified disposal sites.

SHPO: State Historic Preservation Officer

SIR: Supplemental Information Report

SPH: Standard Project Hurricane

SO_x: Sulfur oxides

T&E: Threatened or Endangered Species

UNOP: Unified New Orleans Plan

USACE: U.S. Army Corps of Engineers

CEMVN: Mississippi Valley Division, New Orleans District

CEMVK: Mississippi Valley Division, Vicksburg District

USDA: U.S. Department of Agriculture

NRCS: Natural Resources Conservation Service

USFWS: U.S. Fish and Wildlife Service

VOC: Volatile organic compound

WBV: West Bank and Vicinity Hurricane Protection Project

WRDA: Water Resources Development Acts

APPENDIX B: PUBLIC COMMENTS AND RESPONSES

Comments received during the public review period will be added to 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
Mike Carloss	Louisiana Dept. of Wildlife and Fisheries
David Castellanos	U.S. Fish and Wildlife Service
Frank Cole	Louisiana Department of Natural Resources
Greg Ducote	Louisiana Department of Natural Resources
John Ettinger	U.S. Environmental Protection Agency
David Felder	U.S. Fish and Wildlife Service
Michelle Fischer	U.S. Geologic Survey
Deborah Fuller	U.S. Fish and Wildlife Service
Mandy Green	Louisiana Department of Natural Resources
Jeffrey Harris	Louisiana Department of Natural Resources
Richard Hartman	NOAA National Marine Fisheries Service
Brian Heimann	Louisiana Dept. of Wildlife and Fisheries
Jeffrey Hill	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
Brian Marks	Louisiana Dept. of Wildlife and Fisheries
Ismail Merhi	Louisiana Department of Natural Resources
David Muth	U.S. National Park Service
Clint Padgett	U.S. Geologic Survey
Jamie Phillippe	Louisiana Dept. of Environmental Quality
Kevin Roy	U.S. Fish and Wildlife Service
Manuel Ruiz	Louisiana Dept. of Wildlife and Fisheries
Renee Sanders	Louisiana Dept. of Wildlife and Fisheries
Angela Trahan	U.S. Fish and Wildlife Service
Nancy Walters	U.S. Fish and Wildlife Service
David Walther	U.S. Fish and Wildlife Service
Patrick Williams	NOAA National Marine Fisheries Service

(*includes members of Interagency Environmental Team from IER # 25)

APPENDIX D: INTERAGENCY CORRESPONDENCE

Agency correspondence received during the public review and comment period will be released with the Final IER.



United States Department of the Interior

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



November 18, 2011

Colonel Edward R. Fleming
District Commander
U.S. Army Corps of Engineers
Post Office Box 60267
New Orleans, Louisiana 70160-0267

Dear Colonel Fleming:

Please reference the Draft Individual Environmental Report Supplement, Government Furnished Borrow Material #3, Orleans Parish, Louisiana (IERS #25). That report addresses the impacts associated with the vegetative clearing and placement of excess recycled embankment material (REM) in and adjacent to the Stumpf borrow site in Orleans Parish, Louisiana, that was not addressed in IER #25. IERS #25 supplements IER #25, which addressed impacts that would result from the excavation of government-furnished borrow sites. Excavated material would be used to increase hurricane protection within the Greater New Orleans area located in southeast Louisiana. Work associated with that IER is being 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 two existing hurricane protection projects (i.e., Westbank and Vicinity of New Orleans and Lake Pontchartrain and Vicinity) in the Greater New Orleans area to provide protection against a 100-year hurricane event. This draft supplemental report contains an analysis of the impacts on fish and wildlife resources that resulted from unauthorized clearing and material deposit and provides recommendations to mitigate project impacts on those resources.

The Supplemental 4 authorization of the proposed project directed the Corps to proceed with engineering, design, and modification (and construction where necessary) of the hurricane protection projects. Procedurally, project construction has been authorized in the absence of the report of the Secretary of the Interior that is required by Section 2(b) of the Fish and Wildlife Coordination Act (FWCA) (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.). In this case, the authorization process has prevented our agencies from following the normal procedures for fully complying with the FWCA. The FWCA requires that our Section 2(b) report be made an integral part of any report supporting further project authorization or administrative approval. Therefore, to fulfill the coordination and reporting requirements of the FWCA, the U.S. Fish and Wildlife Service (Service) will be providing post-authorization 2(b) reports for individual IERs.

This report incorporates and supplements our FWCA reports that addressed impacts and mitigation features for the Westbank and Vicinity of New Orleans (dated November 10, 1986, August 22, 1994, November 15, 1996, and June 20, 2005) and the Lake Pontchartrain and Vicinity Hurricane (dated July 25, 1984, and January 17, 1992) Protection projects. This report does not constitute the report of the

Secretary of the Interior as required by Section 2(b) of the FWCA. This report was concurrently provided to the Louisiana Department of Wildlife and Fisheries and the National Marine Fisheries Service, and their comments, if any, will be incorporated the final report.

A complete description of the study area, fish and wildlife resources, project description and impacts, and the Service's recommendations can be found in our November 15, 2010, Final FWCA report. This supplemental report addresses only those impacts due to the unauthorized actions that occurred during work on the Hurricane and Storm Damage and Risk Reduction System (HSDRRS).

The "after the fact" and unauthorized proposed action is the placement of 105,000 cubic yards of REM in and around the Stumpf Phase I borrow site. Typically, the excess material would be hauled off-site to an authorized disposal area. However, due to the Corps' budget and schedule constraints, the excess REM was stockpiled on this site and used as fill material to return the impacted site to its previous grade. Of the 22.41 acres utilized for the stockpiling of REM, 7.93 acres had been previously authorized under IER # 25 only for the purposes of vegetative clearing and the excavation of borrow material to be used in LPV levee reach 109 and 111. Placement of REM there and on the remaining 14.48 acres adjacent to the Stumpf Phase I site, which had never been addressed under the National Environmental Policy Act (NEPA) process for either borrow excavation or placement of REM, was undertaken by the a Corps contractor and was not part of any previous government proposed action.

The Corps and the Service determined that 22.41 acres of non-wet bottomland hardwood (BLH) forest were impacted. Using the same habitat analysis that was used for the Stumpf Phase I borrow site, the Service determined that those impacts resulted in a loss of 6.19 Average Annual Habitat Units (AAHU). The Corps, in order to ensure and expedite mitigation for the unauthorized clearing and REM placement, decided to provide compensatory mitigation for these impacts by purchasing 12.2 acres in BLH mitigation credits from Paradis Mitigation Bank on September, 20, 2011. Therefore, mitigation from these impacts will not be included in the combined mitigation IER for the HSDRRS impacts.

If you or your staff has any questions concerning this report, please contact David Castellanos (337/291-3112).

Sincerely,



David Walther
Acting Field Supervisor
Louisiana Ecological Services Office

cc: USACE, Memphis District, TN (Attn: Ms. Andrea Carpenter)
EPA, Dallas, TX
NMFS, Baton Rouge, LA
LA Dept. of Wildlife and Fisheries, Baton Rouge, LA
LA Dept. of Natural Resources (CMD/CRD), Baton Rouge, LA

From: Carpenter, Andrea MVM
To: ["David.Castellanos@fws.gov"](mailto:David.Castellanos@fws.gov)
Subject: Stumpf Borrow Phase 1 T&E Determination
Date: Tuesday, August 09, 2011 11:46:00 AM

Good Afternoon David:

Representatives from USACE have determined that no known federally listed threatened or endangered species or critical habitats exist in the area of the Stumpf Phase 1 Borrow Site. Due to miscommunication, the contractor has cleared areas adjacent to the original Stumpf Borrow Site that are outside of the boundaries determined in IER #25. The Corps has determined that the actions completed by the contractor outside the boundaries of the Stumpf Borrow areas in the original IER #25 caused no direct, indirect, or cumulative effects to protected species or their critical habitat. Mitigation credits for impacts outside of the original boundaries of IER #25 will be purchased from Lower Vacherie Mitigation Bank in the amount of 10.7 acres of Bottomland Hardwoods OR from Paradis Mitigation Bank in the amount of 12.2 acres of Bottomland Hardwood. Your office will be notified of any changes to the project plans.

On 10 April 2008, USFWS concurred with the USACE that excavation of the proposed borrow areas for the Stumpf Phase 1 Site would not adversely affect T&E species or their critical habitat.

If you have comments this determination, please reply to Andrea Carpenter.

Thank you for your help in this matter,

Andrea L. Carpenter
Fish and Wildlife Biologist
USACE, Memphis District
167 N. Main St., Rm. B-202
Memphis, TN 38103
Phone: 901-544-0817
Fax: 901-544-3955
Email: Andrea.L.Carpenter@usace.army.mil

From: David_Castellanos@fws.gov
To: Carpenter, Andrea MVM
Subject: Re: Stumpf Borrow Phase 1 T&E Determination
Date: Wednesday, August 10, 2011 3:32:34 PM
Attachments: [pic02695.gif](#)
[17884557.jpg](#)
[graycol.gif](#)
[ecblank.gif](#)

Andrea,

I think you should be okay with that. Of course, as I said before, the Service cannot concur with that determination, because it concerns actions that have already taken place, but as far as the Corps' due diligence to make sure any impacts are addressed, it seems like you covered it. The reference to our previous concurrence for the area immediately adjacent to the violation area should satisfy any concerns about impacts to T&E. One thing, you should probably keep all the T&E together and separate from the mitigation part. Those are different issues. I would put the sentence about the Service's previous concurrence together with the other T&E language, right after the sentence that ends with, "...or their critical habitat". Thanks for sending, let me know if you have any questions, this situation is a little out of the norm, and it had me scratching my head at first.

David

Inactive hide details for "Carpenter, Andrea MVM" <Andrea.L.Carpenter@usace.army.mil>"Carpenter, Andrea MVM" <Andrea.L.Carpenter@usace.army.mil>

"Carpenter, Andrea MVM" <Andrea.L.Carpenter@usace.army.mil>

08/09/2011 11:46 AM

To

<David_Castellanos@fws.gov>

cc

Subject

Stumpf Borrow Phase 1 T&E Determination

Good Afternoon David:

Representatives from USACE have determined that no known federally listed threatened or endangered species or critical habitats exist in the area of the Stumpf Phase 1 Borrow Site. Due to miscommunication, the contractor has cleared areas adjacent to the original Stumpf Borrow Site that are outside of the boundaries determined in IER #25. The Corps has determined that the actions completed by the contractor outside the boundaries of the Stumpf Borrow areas in the original IER #25 caused no direct, indirect, or

cumulative effects to protected species or their critical habitat.

Mitigation credits for impacts outside of the original boundaries of IER #25 will be purchased from Lower Vacherie Mitigation Bank in the amount of 10.7 acres of Bottomland Hardwoods OR from Paradis Mitigation Bank in the amount of 12.2 acres of Bottomland Hardwood. Your office will be notified of any changes to the project plans.

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If you have comments this determination, please reply to Andrea Carpenter.

Thank you for your help in this matter,

Andrea L. Carpenter
Fish and Wildlife Biologist
USACE, Memphis District
167 N. Main St., Rm. B-202
Memphis, TN 38103
Phone: 901-544-0817
Fax: 901-544-3955
Email: Andrea.L.Carpenter@usace.army.mil



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
MEMPHIS DISTRICT, CORPS OF ENGINEERS
167 NORTH MAIN STREET
MEMPHIS, TENNESSEE 38103-1894

Regional Planning Division South
Memphis District Environmental Compliance Branch

Keith Lovell
Interagency Affairs – LADNR
Field Services Division
P.O. Box 44487, Capital Station
Baton Rouge, LA 70804-4487

Dear Mr. Lovell:

Please reference the “Government Furnished Borrow Material #3, Orleans Parish, Louisiana” Project as described in Individual Environmental Reports 25 (IER 25). A supplement to IER 25 (IERS 25) is in progress to evaluate the potential impacts of placing Recycled Embankment Material (REM) in a 22.41-acre area which had not been considered for this purpose under the NEPA process.

The Corps requests your concurrence with the enclosed modification to Consistency Determination C20080076. This supplemental will address the potential impacts associated with the placement of 105,000 cubic yards of REM on 22.41 acres in and around the Stumpf Borrow area in Orleans Parish, Louisiana. The purpose of the unauthorized action was to stockpile REM that was produced in excess of what could be incorporated into the LPV 111 levee section.

Please review the enclosed consistency determination and provide comments within 10 days of the date of this letter. Comments should be mailed to the attention of Andrea Carpenter; U.S. Army Corps of Engineers; Regional Planning Division South, Memphis District Environmental Compliance Branch; 167 North Main Street; Memphis, Tennessee, 38103-1894. Comments may also be provided by email to Andrea.L.Carpenter@usace.army.mail or by fax to (901) 544-3955. Andrea Carpenter may be contacted at (901) 544-0817 if questions should arise.

Sincerely,

A handwritten signature in blue ink that reads "Joan M. Exnicios".

Joan Exnicios
Chief, New Orleans District
Environmental Branch

CONSISTENCY DETERMINATION MODIFICATION

Louisiana Coastal Use Guidelines

Government Furnished Borrow Material #3
Orleans Parish, Louisiana
IERS # 25

INTRODUCTION

The U.S. Army Corps of Engineers (USACE), Regional Planning and Environmental Division South, Upper Delta Environmental Compliance Section, is preparing a Supplemental Individual Environmental Report #25- Government Furnished Borrow Material # 3 (IERS #25) to evaluate the potential impacts associated with a project revision to the original IER #25- Government Furnished Borrow Material #3.

On February 3, 2009, the District Commander signed the Decision Record for IER # 25- Government Furnished Borrow Material #3. Copies of the document and other supporting information are available upon request or at www.nolaenvironmental.gov. A supplemental IER is being prepared to address changes in the Government's approved plan.

Approved Plan

In Final IER # 25, the U.S. Army Corps of Engineers (USACE), Mississippi Valley Division, New Orleans District (CEMVN) proposed to approve four potential borrow areas to be used under the Government Furnished borrow material program to supply levee building material to the CEMVN projects in the New Orleans Metropolitan Area. The proposed borrow areas are located in Orleans, Jefferson and Plaquemines Parishes, Louisiana (Figure 1). Upon approval of these four sites, any suitable materials found within them could be excavated and utilized to complete levee or floodwall projects for the proposed Greater New Orleans Hurricane and Storm Damage Risk Reduction System (HSDRRS).



Figure 1. Proposed Borrow Areas investigated in IER # 25. 1: Stumpf Phase 1 & 2; 2: Westbank D; 3: Westbank E Phase 1 & 2; 4: Tac Carrere

Change to approved plan

The purpose of the unauthorized action was to stockpile material that was produced in excess of what could be incorporated into the LPV 111 levee section. The excess material, known as Recycled Embankment Material (REM), was placed on a 22.41-acre site which had not been considered for this purpose under the NEPA process (Figure 2).

The estimated quantity of REM utilized on the site is approximately 105,000 cubic yards or 178,500 tons. Typically, the excess material would be hauled off-site to an authorized disposal area. However, due to budget and schedule constraints, the excess REM was stockpiled on this site and utilized for construction of access haul roads within the site. Construction of access haul roads was necessary due to the moist conditions in the stockpile area resulting from rainfall and the moisture content of the clay material being delivered. Once all of the excess REM was delivered from the LPV 111 levee section, the stockpiled REM was used for fill to achieve the site's current grade of approximately +1 to +3 above natural ground.

Recycled Embankment Material is a term used for the return of excess soil cement to the ground surface during soil cement column installation. Recycled Embankment Material can be used for engineering applications such as road construction or levee fill. In the process of constructing soil cement columns through Deep Mixing Methods (DMM), Portland Type I/II cement and water are mixed into a slurry and injected into the soil using a multi-blade augur. The blades of the augur thoroughly mix the cement and soil to form a column having high strength and low permeability. Civil engineering applications include ground improvement for seepage cutoff walls, settlement reduction, axial load support, and embankment stability reinforcement, which was the application of DMM for LPV 111. Environmental engineering applications include stabilizing and fixing soil and groundwater contaminants to prevent leaching and cutoff walls to encapsulate landfills and superfund sites.

Revised Impact Analysis

Vegetative clearing, stockpiling, and spreading of REM occurred on a 22.41 acre site in and around the Stumpf Borrow Site; the vegetative clearing of 7.93 of those acres was authorized by the Final IER #25 dated February 2009; however, stockpiling and spreading REM had not been covered by the NEPA process. The unauthorized vegetative clearing, stockpiling, and spreading of REM caused 14.48 additional acres of impacts to bottomland hardwoods (BLH) outside of the boundaries set in IER #25 (Figure 2).

Compensatory mitigation will be purchased from Paradis Mitigation Bank in the amount of 12.2 acres for the 22.41 acres of BLH impacts.

Guideline responses which have changed as result of this modification to the IER # 25 project are described below.

GUIDELINES IMPACTED BY MODIFICATION

Guidelines Applicable to All Uses:

Guideline 1.6: Information regarding the following general factors shall be utilized by the permitting authority in evaluating whether the proposed use is in compliance with the guidelines.

- a) type, nature and location of use.

Response: CEMVN has determined that the modification has impacted 22.41 acres of BLH dry in and around the Stumpf Phase 1 Borrow Site boundaries (Figure 2). The site was used to stockpile and later spread REM (described above) over the 22.41 acres shown in Figure 3.

- 1) proximity to, and extent of impacts on important natural features such as beaches, barrier islands, tidal passes, wildlife and aquatic habitats, and forest lands.

Response: The modification has impacted 22.41 acres of BLH dry in and around the original 300-acre Stumpf Phase 1 Borrow Site.

Guideline 1.7: It is the policy of the coastal resources program to avoid the following adverse impacts. To this end, all uses and activities shall be planned, sited, designed, constructed, operated and maintained to avoid to the maximum extent practicable significant:

- e) destruction or adverse alterations of streams, wetland, tidal passes, inshore waters and water-bottoms, beaches, dunes, barrier islands, and other natural biologically valuable areas or protective coastal features.

Response: CEMVN has determined that the modification has impacted 22.41 acres of BLH dry. All impacts for this BLH loss will be mitigated by the purchase of 12.2 acres of BLH at Paradis Mitigation Bank.

CONSISTENCY DETERMINATION

Based on this evaluation, CEMVN, has determined that implementation of the proposed modification would be consistent, to the maximum extent practicable, with the State of Louisiana's approved Coastal Resources Program.

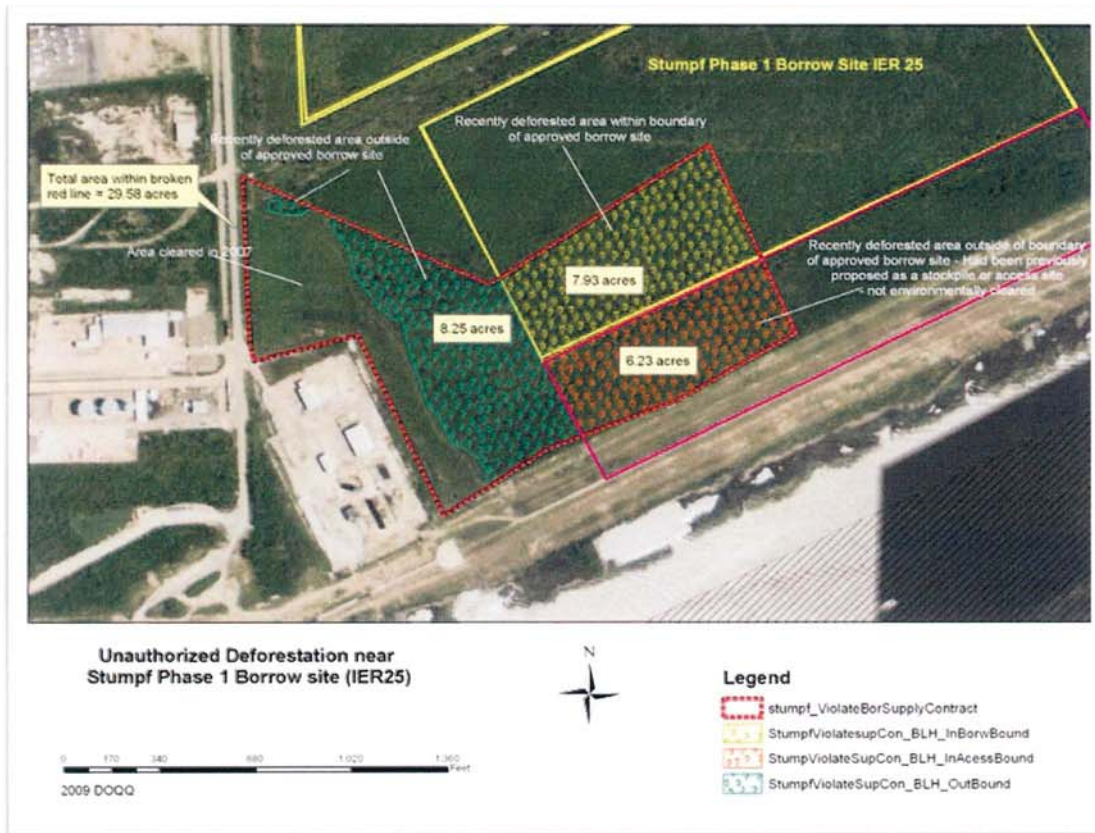


Figure 2. Aerial photograph showing the unauthorized area of impact to bottomland hardwoods adjacent to the approved Stumpf Phase 1 Borrow Site boundaries set in IER # 25 in Orleans Parish, New Orleans.



Figure 3. Aerial photograph showing vegetative clearing and stockpiling of REM (outlined in red) on 22.41 acres of BLH in and around Stumpf Borrow Site as of 6 July 2011.

BOBBY JINDAL
GOVERNOR



SCOTT A. ANGELLE
SECRETARY

State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

August 26, 2011

Andrea Carpenter
Fish and Wildlife Biologist
U. S. Army Corps of Engineers, Memphis District
167 N. Main St., Room B-202
Memphis, TN 38103

RE: **C20080076**, Coastal Zone Consistency modification
U. S. Army Corps of Engineers, Memphis District
Direct Federal Action
IER 25: After-the-fact authorization for clearing and stockpiling levee material at the
Stump Borrow Area Phase 1, **Orleans Parish, Louisiana**

Dear Ms Carpenter:

The above referenced project modification has been reviewed for consistency with the approved Louisiana Coastal Resource Program (LCRP) as required by Section 307 of the Coastal Zone Management Act of 1972, as amended. The modification, as proposed in the application, is consistent with the LCRP. If you have any questions concerning this determination please contact Jeff Harris of the Consistency Section at (225) 342-7949.

Sincerely yours,

A handwritten signature in cursive script that reads "Keith Lovell".

Keith Lovell
Administrator
Interagency Affairs/Field Services Division

KOL/jdh

cc: Joan Exnicios, COE-NOD
Dave Butler, LDWF

Post Office Box 44487 • Baton Rouge, Louisiana 70804-4487
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LIEUTENANT GOVERNOR

State of Louisiana
OFFICE OF THE LIEUTENANT GOVERNOR
DEPARTMENT OF CULTURE, RECREATION & TOURISM
OFFICE OF CULTURAL DEVELOPMENT
DIVISION OF ARCHAEOLOGY

DAWN ROMERO WATSON
SECRETARY

PAM BREAU
ASSISTANT SECRETARY

June 11, 2008

Ms. Elizabeth Wiggins
Environmental Planning and Compliance Branch
New Orleans District, Corps of Engineers
P.O. Box 60267
New Orleans, LA 70160-0267

Re: Draft Reconnaissance CRM Report
LA Division of Archaeology Report No. 22-3110
*Cultural Resources Reconnaissance Survey of
the Stumpf Borrow Site and Addendum,
Orleans Parish, Louisiana*
Earth Search, Inc.

Dear Ms. Wiggins:

We are in receipt of your letter of May 9, 2008, transmitting two copies of the above-cited report prepared by Earth Search, Inc. We have completed our review and have the following comments to offer.

We concur with the findings presented in the report, which determined that there are no cultural resources within the project area, and thus, the project can proceed as planned.

Technical comments concerning minor items are included with this letter, as are photocopied pages of the report with other comments/corrections noted. Please address these as appropriate and transmit two copies of the final report. Should you have any questions concerning our comments, do not hesitate to contact Dennis Jones in the Division of Archaeology at (225) 342-8170 or by email at djones@crt.state.la.us.

Sincerely,

Pam Breau
State Historic Preservation Officer

PB:DJ:s

C: David Harlan, Earth Search Inc. (w/enclosures)

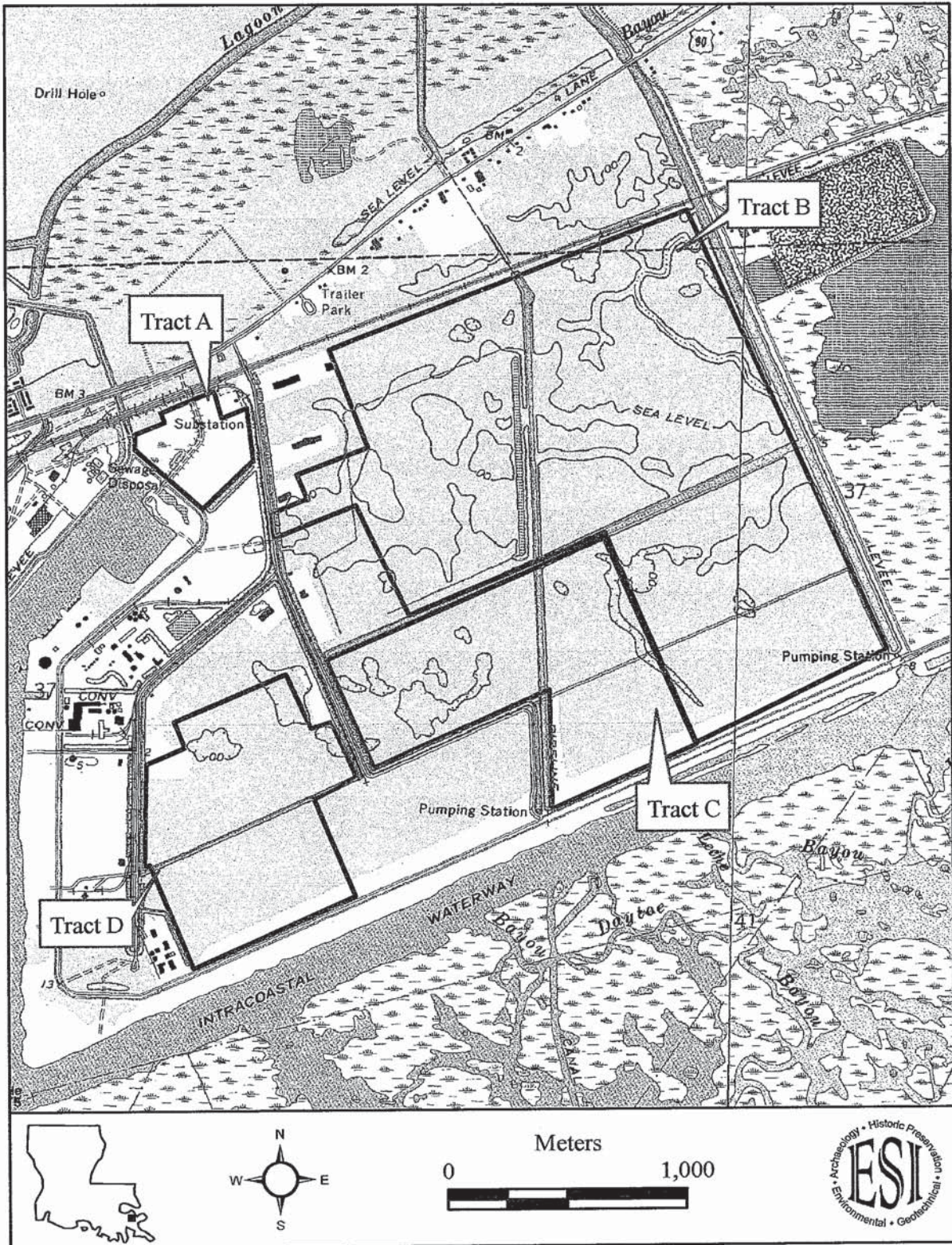


Figure 1. Excerpts from USGS *Little Woods* and *Chef Menteur, LA* 1:24,000 quadrangles showing the project area in red.

STUMPF

**BORROW AREA
INVESTIGATION SITE
34 ACRES**

Lat 30 02 19.0
Lon 89 54 0.4
Lat 30 02 17.1
Lon 89 54 0.0
Lat 30 02 15.3
Lon 89 54 5.3
Lat 30 02 13.4
Lon 89 53 41.8
Lat 30 02 6.1
Lon 89 53 55.2
Lat 30 01 43.2
Lon 89 53 41.0
Lat 30 01 36.3
Lon 89 54 57.8
Lat 30 01 30.7
Lon 89 54 55.3
Lat 30 01 28.0
Lon 89 54 1.7
Lat 30 01 15.1
Lon 89 54 3.1
Lat 30 01 16.5
Lon 89 54 1.6
Lat 30 01 4.3
Lon 89 53 55.1

Lat 30 02 21.2
Lon 89 53 53.6
Lat 30 02 18.0
Lon 89 53 52.1
Lat 30 02 19.8
Lon 89 53 46.8
Lat 30 02 13.0
Lon 89 53 46.0
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Lon 89 53 52.2
Lat 30 01 45.5
Lon 89 53 35.3
Lat 30 01 35.0
Lon 89 53 36.1

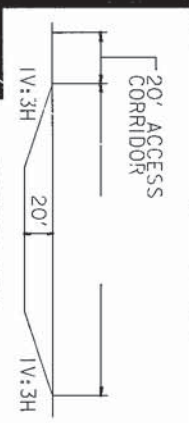
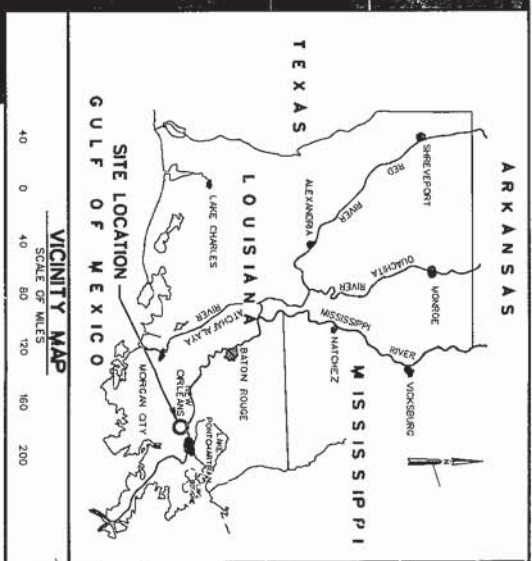
**BORROW AREA
INVESTIGATION SITE
223 ACRES**

**BORROW AREA
INVESTIGATION SITE
179 ACRES**

Lat 30 01 36.8
Lon 89 53 32.2
Lat 30 01 30.4
Lon 89 53 27.4
Lat 30 01 26.0
Lon 89 53 34.9
Lat 30 01 15.1
Lon 89 53 28.2

Lat 30 02 3.5
Lon 89 52 51.1
Lat 30 01 41.7
Lon 89 52 59.2
Lat 30 01 35.1
Lon 89 52 35.9
Lat 30 01 28.0
Lon 89 52 56.1

T 11 S
R 13 E
T 12 S
R 13 E



REVISION DATE	DESCRIPTION	BY

U. S. ARMY ENGINEER DISTRICT, NEW ORLEANS
CORPS OF ENGINEERS
NEW ORLEANS, LOUISIANA

**STUMPF BORROW SITE INVESTIGATION
RIGHT OF ENTRY**

ORLEANS PARISH, LA.

DESIGNED BY ORLANDO	DATE 02 JUN 08	SCALE AS SHOWN	FILE NO.
CHECKED BY SM	DESIGN TITLE 	SHEET NO. 	DWG. 1 OF 1

40

41

STUMPF PHASE 2

CHEF MENTEUR HWY

INDUSTRIAL PKWY

ACCESS CORRIDOR
1.5 ACPTS

**BORROW AREA
INVESTIGATION SITE
693 ACRES**

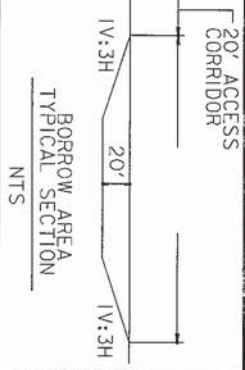
T 11 S
R 13 E
T 12 S
R 13 E

G.I.W.M.

- Lat 30 02 28.3
- Lon 89 53 34.9
- Lat 30 02 14.7
- Lon 89 53 28.3
- Lat 30 02 10.6
- Lon 89 53 39.3
- Lat 30 02 7.3
- Lon 89 53 37.5
- Lat 30 02 5.9
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- Lat 30 02 5.1
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- Lat 30 02 1.8
- Lon 89 53 42.6
- Lat 30 02 2.6
- Lon 89 53 40.5
- Lat 30 02 6.5
- Lon 89 53 30.0
- Lat 30 01 51.8
- Lon 89 53 21.7

- Lat 30 02 4.4
- Lon 89 52 51.7

- Lat 30 01 48.4
- Lon 89 52 7.1
- Lat 30 01 35.1
- Lon 89 52 35.9



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REVISION DATE	DESCRIPTION	BY
	U. S. ARMY ENGINEERING DISTRICT, NEW ORLEANS CORPS OF ENGINEERS NEW ORLEANS, LOUISIANA	
STUMPF PHASE 2 BORROW SITE INVESTIGATION RIGHT OF ENTRY		
ORLEANS PARISH, LA		
DESIGNED BY DRAWN BY CHECKED BY SUBMITTED BY	DATE 27 JAN 08 SCALE AS SHOWN	FILE NO. 1 OF 1
SPEC. NO.		DWG. 1 OF 1

APPENDIX E: CEMVN BORROW AREA INDEX MAP

The most up to date version of borrow maps can be found at www.nolaenvironmental.gov.

